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John Adams

THE
CRAFTSMAN.

BY
CALEB D'ANVERS,
of GRAY's-INN, Esq;

VOL. VIII.

CALEB D'ANVER'S OF GRAYS INNE ESQVIRE

LONDON.
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TO THE PEOPLE OF ENGLAND.

Friends, Countrymen and Fellow-Subjects.

I am ſorry to trouble you again, in this Manner; but as I dedicated the former Volumes of the CRAFTSMAN to You, in your collective Capacity, I hope You will not refuſe this ſecond Addreſs; in which I ſhall be very ſhort, and only give You a ſummary Account of the principal Subjects, which compoſe the following Volumes.

I concluded the *former Collection*, in the Year 1731, with Mr OLDCASTLE's Remarks on the *Engliſh Hiſtory*, and ſome Obſervations on the Treaty of *Vienna*, made about the ſame Time, which in a Manner diſſolved our cloſe Allyance with *France*, reconciled Her to *Spain*, and ſoon afterwards produced an Attack upon the *Emperor*, both in *Italy* and upon the *Rhine*.

But as We were not immediately concern'd in *this War*, though I am afraid We ſhall be in the Conſequences of it, the *following Volumes* conſiſt chiefly of Papers upon Points of *domeſtick Government*, as the *former ones* did upon *foreign Affairs*.

The firſt Subject of any great Conſequence was the INDEPENDENCY *of* PARLIAMENT; in Anſwer to a ſcandalous Poſition, advanced by a *right reverend Prelate of our Church*, againſt the Bill for preventing *private Penſions*, and a *corrupt pecuniary Dependency of the Houſe of Commons upon the Crown*. This Doctrine was ſo fully exploded, that the *Advocates for it* were obliged to give it up, or explain it away into that *legal*, *conſtitutional Dependency*

pendency of one Part of the Legiſlature upon the others, which hath been ſo ſtrongly aſſerted and maintain'd in the Courſe of theſe Papers.

We have likewiſe ſhewn that the Miſfortunes of moſt of our Princes, ſince the *Conqueſt*, have been occaſion'd by the Aſcendency of *wicked Miniſters*, and *Favorites* over Them. This is particularly exemplify'd in the Caſes of *Edward* the 2*d*, *Richard* the 2*d*, *Henry* the 6*th*, *Charles* the 1*ſt*, and *James* the 2*d*; beſides many Inſtances, to the ſame Purpoſe, from the Hiſtories of other Nations.

But there is no Point, upon which We can boaſt of ſo much ſucceſs, as our Oppoſition to the late EXCISE-SCHEME; which We began ſo early, and carry'd on with ſo much Vigour, that the *Defeat* of it hath been acknowledged to be owing, in a great Meaſure, to *our Writings*; and I may ſay, without Vanity, that this *Subject* was never ſo fully diſcuſs'd before. We not only explain'd the miſchievous Nature of *Exciſe-Laws* to a trading Nation, as well as the Danger of them to a *free Conſtitution*, but examined every Argument advanced in their Favour, and ſhew'd by what Methods they were firſt introduced amongſt us, in the Time of a *civil War*;

how they have gradually increaſed upon Us ever ſince, though conſtantly oppoſed by all the *true Friends of Liberty*; and are at length extended almoſt to a *general Exciſe.* We have likewiſe compared them to the *Exciſes* of *other Nations*, and proved them to be of a more rigorous Nature than even Thoſe under *arbitrary Governments.* In ſhort, there is hardly any Thing left to be ſaid farther upon *this Subject*; and as it gives us no ſmall Pleaſure to reflect that *theſe Papers* have already proved of ſo much ſervice to our Country, eſpecially the *trading Part* of it, We hope the Publication of them in Volumes will be of ſome uſe hereafter, if any *ſuch Attempt* ſhould be made again.

Theſe Papers were follow'd by others upon STANDING ARMIES; in which the Oppreſſion and Danger of them to a *free People* are not only demonſtrated from Reaſon, Hiſtory and Experience; but an Enquiry is likewiſe made into the Neceſſity of keeping up the *preſent Number of Forces*, in this Kingdom; the natural Strength and Security of which is proved to conſiſt in our *Fleet*, and a *well-diſciplined Militia.*—I wiſh I could ſay that We had been as ſucceſsful upon *this*

Head as upon That of *Exciſes*, to which it bears ſo near a Relation!

The FREEDOM OF ELECTIONS ſucceeded in Courſe of Time, and was fully examined, with a particular View to the *late Elections*, both in *England* and *Scotland*. What Effect our Writings upon *this Subject* might have, I cannot pretend to determine; but the Returns ran ſo generally in Favour of the *Country Party*, in *England*, eſpecially for *Knights of the Shire*, and *Repreſentatives of the great trading Towns*, that the *miniſterial Writers* began to deſpair of a *Majority*, and give up their Cauſe for loſt; as, indeed, it would have been, had not the *little Boroughs*, which always follow *Power*, turn'd the Ballance on their Side.

Under *this Head*, We addreſs'd Ourſelves particularly to the PROTESTANT DISSENTERS, who concurr'd very heartily with their Fellow-Subjects in oppoſing the *Exciſe-Scheme*, and endeavour'd to convince Them of their true Intereſt, at *that critical Juncture*; but *Party-Prejudices*, *perſonal Reſentments*, *Self-Intereſt*, and the private Views of *particular Men*, who had the Management of their Affairs, led Them into *another Conduct*, of which all the *conſiderate* and *diſintereſted* amongſt

Them have ſince had ſufficient Reaſon to repent. They have not only been treated like BUBBLES and CHILDREN by the very PERSON, who call'd Himſelf their BEST FRIEND, but even inſulted and ridiculed by his *Advocates*, for inſiſting on the REWARD They were promiſed for their *Services*, in his Diſtreſs.

The DISSERTATION UPON PARTIES hath already paſs'd through *two Editions* with ſo much Applauſe, that it ſtands in Need of no Recommendation. Men of all Parties, however ſway'd by *Prejudice* or *Intereſt*, acknowledge it to be written with great Force of *Genius*, Strength of *Judgment*, and *Knowledge of the World.* The only Objection againſt it is, that it contains ſome Reflections and Innuendo's againſt the *preſent Times*; which, if juſt, add a Value to it; and, if not ſo, will die away of Courſe; whilſt the general Doctrines will remain, and may be of Service to the lateſt Poſterity. It is certainly the beſt Vindication, that was ever publiſh'd, of the *Deſign* of the *late Revolution*, as well as the *Means*, which brought it about; and I hope the *End* of it will be ſome Time or other compleatly accompliſh'd.

To *theſe excellent Papers* I have added ſeveral Eſſays, in Defence of our ANTI-

ENT CONSTITUTION, againſt a novel and pernicious Doctrine, firſt advanced by the *Tories*, and ſince adopted by our *modern Whigs*; that *Liberty* is not our antient Inheritance, but only an Acquiſition ſince the *Revolution*, or the *Reſtoration* at fartheſt. *This Subject* branch'd itſelf out into ſeveral Particulars; ſuch as the *Antiquity of Parliaments*, *antient Prerogative*, *the modern Power of the Crown*, by the *Diſpoſition of Places*, the vaſt Increaſe of the *Civil-Liſt*, *penal Laws*, and other Points of the ſame Nature; which are thoroughly diſcuſs'd in the following Sheets.

The Reader will likewiſe find the Affair of the BANK-CONTRACT, which involved Multitudes of Families in the utmoſt Diſtreſs, very circumſtantially explain'd in theſe Volumes, and the Guilt of it laid at the right Door. As We were provoked and defy'd to enter into this Diſquiſition, by a violent Attack on the *other Side*, intermix'd with the *groſſeſt*, *perſonal Scurrilities*, We are not anſwerable for any Thing of the *ſame Nature*, which was extorted from us, in Return.

I have made ſome Apology, in my *former Dedication to You*, for theſe *perſonal Altercations*, which were not begun by *Us*;

and muſt beg Leave to add a Word or two upon the *ſame Subject.*

If the Publick would give Themſelves the Trouble of reviewing the Writings on *both Sides*, They would ſoon be convinced who were the Aggreſſors in *this Kind of Controverſy*; but without inſiſting on ſo tedious an Enquiry, or impoſing ſo irkſome a Task on any of our Readers, as That of going through all the dull Ribaldry and verboſe Nonſenſe, which hath been publiſh'd by *our Adverſaries*, it will appear highly probable, from the very Nature of the Diſpute, that Hoſtilities of *this Sort* were commenced on the *other Side.*

The *Craftſman* ſet out with a Deſign (at leaſt, his Enemies will confeſs with a Pretence) of ſerving his Country, by animadverting on the *State of the Nation*, at that Time, and the Conduct of *Thoſe*, who were intruſted with the Adminiſtration of publick Affairs. He had Matter enough, God knows, to expatiate upon, in the Purſuit of this Undertaking, without entering into *private Characters*, or *perſonal Scandal.* He had enough to ſay of the *Miniſter*, and lay under no Neceſſity of attacking the *Man.* Nay, He was well apprized that every Thing, of this Sort, would be only going ſo much out of the Way, and therefore did all in his Power to avoid it. But *Thoſe*, who undertook the Cauſe of the *Miniſter*, had nothing of a *publick Nature* to alledge againſt *Us*. It could not be ſaid that *We* had done the *ſame*, or *worſe Things* ourſelves; that *We* had embezzled, or miſapply'd the *publick Treaſure*, and loaded the People with *unneceſſary Taxes*, in Times of *Peace*; that *We* had made *abſurd* and *dangerous Treaties*, or brought the *Manufactures* and *Trade* of this Kingdom to a moſt languiſhing Condition; that *We* had ever diſcover'd any Deſign of governing by a *ſtanding Army*, and even fruſtrating the Inſtitution of *Parliaments* themſelves.

As the Probability therefore is on *our Side*, in this Caſe; ſo it is demonſtrable that all our late *perſonal Altercations*, properly ſo call'd, were actually begun on the *other Side*.

It hath been confeſs'd by the *Writers againſt us*, that We ſet out in a different Manner from what hath been ſince purſued; and obſerved the Rules of *Decency*, at leaſt, in our Style and Language. Indeed, our Buſineſs was with *Things*; and We did not propoſe to meddle with *Perſons* any farther than as they ſtood related to *each other*. I have diſtinguiſh'd, in my *former Addreſs* to You, between the *publick* and *private Capacity* of a *Miniſter*;

and yet This is the boaſted Privilege of *Engliſhmen*; to which Thoſe, who take a publick Truſt upon Them, muſt ſubmit. It is a juſt Tax upon *high Stations*, and a very ſmall one too, conſidering the Profits, which are uſually made of them. But We never enter'd into the *private Character* and *Conduct* of the *Miniſter*, whoſe *publick Meaſures* We oppoſed, till it became neceſſary to *Self-Defence*, after continued Inſults and Provocations for ſeveral Years together.

This is a true State of the Caſe, with Regard to *thoſe perſonal Altercations*, which fill up ſome Part of the following Papers. Let me now ask the World what is to be done, or what can be ſaid to *ſuch abandon'd Wretches*. Muſt They be allow'd to write on, and abuſe whom They pleaſe, without Controul? Muſt their Calumnies of *Perſons*, and Miſrepreſentation of *Things* be openly propagated, as far as the *Poſt-boy* blows his Horn, or an *Exciſeman* carries his Gauge; and muſt Nobody preſume to detect Them in their Forgeries, without running the Hazard of ruining Himſelf? I hope the Liberties of *England* are not yet ſunk ſo very low, notwithſtanding the laudable Doctrines of *theſe Writers*, and the worthy Practices of their *Patron* --- Let This ſuffice, as to *Perſonalities*.

The following Volumes conclude with large Remarks on the *late Preliminaries*, or *Plan of Peace*; in which the Ceſſion of LORAIN to *France*, as well as of *Naples*, *Sicily*, and the *Tuſcan Ports* to another Branch of the *Houſe of Bourbon*, are particularly conſider'd. The *Event* hath already juſtify'd our Apprehenſions, that it would too much affect the *Ballance of Power in Europe*; for the *Treaty* is not yet finiſh'd; and the *Guaranty* of it, which was expected from *Us*, though not conſulted in the *Negotiation*, hath been hitherto prudently delay'd. I ſhall forbear any Compliments to my *Correſpondent*, on this Account, though I have a very fair Opportunity, being thoroughly convinced that He hath nothing but the *Good of his Country* at Heart, in all his Proceedings.

I thought it proper to ſtop at *this Period*, conſidering the *preſent State of Affairs in Europe*; but if *theſe Volumes* ſhould meet with a favourable Reception, We deſign to print a volume or two at a Time, in order to compleat the Sets of *thoſe Gentlemen*, who approve of this undertaking.

We have made a Variation in *theſe Volumes* from the *preceding ones*, by omitting ſeveral Papers, which conſiſted only of *Quotations*, or were not generally approved of, at their firſt Publication; but We have left out none, which related to the general Argument, or Deſign of *this Work.*

As to the Papers of *Wit* and *Humour*, which fill up a great Part of the following Volumes, they are of ſo miſcellaneous a a Kind, that I cannot give any particular Account of them; but as I am chiefly obliged to my *Correſpondents* for them, I may ſpeak with the more Freedom, and hope they will furniſh an agreeable Entertainment to the Publick.

I cannot conclude, without returning Thanks to *thoſe Noblemen* and *Gentlemen*, who have hitherto ſupported *theſe Papers*, by their Approbation, and encouraged the preſent Publication of them, at this Criſis; which I ſhall always acknowledge as a particular Favour, and endeavour to deſerve it by my future Conduct.

I am, GENTLEMEN,

Your affectionate Fellow-Subject,

and moſt devoted Servant,

Gray's Inn, May
25th 1737.

CAL. D'ANVERS.

THE

THE CRAFTSMAN.

N° 256. SATURDAY, *May* 29, 1731.

A Rumour hath lately prevail'd, both in Town and Country, that We were going to put a Period to *this Paper*; occaſioned, as I conceive, by that Project of a Convention between *Me*, and Mr. *Lyn*, of which I formerly gave ſome Account, not without a little Induſtry of Thoſe, whoſe Intereſt it was to obſtruct all Schemes of Accommodation between us. I can impute ſuch a ridiculous Story to nobody elſe; for ſuppoſing *this Negotiation* had gone on as ſucceſsfully as We had Reaſon to wiſh, on both Sides, it was ſo far from my Intention to lay down the *Craftſman*, that I ſhould have been oblig'd, by my Stipulations, to continue it, in order to juſtify the Meaſures of my *new Confederate againſt* his *quondam Advocates* and *Allies*; but I am ſorry to acquaint the Publick that *this Treaty* hath met with the Fate of ſeveral *others*, and that the favourable Proſpect, which was opened to us a few Weeks ago, of ſeeing the publick Tranquility re-eſtabliſhed, is already, in a great Meaſure, vaniſh'd. I muſt, indeed, confeſs my ſelf ſomewhat to blame for entering into *this Negotiation* without conſulting my *Allies*, and acting in Concert with Them, according to repeated Engagements. As the *Difficulties* and *Expences*, which I had drawn upon myſelf, by my Conduct for ſome Years paſt, made me catch at the firſt Overtures of an *Accommodation*; ſo I flattered myſelf that I ſhould be able to prevail upon *Thoſe*, who profeſs'd Themſelves my *Friends*, to diſpenſe with ſome little Punctilio's in the *Manner* of negotiating it; particularly, on my late good *Friend* and *Ally*, the renowned Mr. *Fog*; but, whether He really thinks his own Honour too nearly concern'd, or has ſome private Deſign of leaving me in the Lurch; ſo it is, that He hath remonſtrated very ſtrongly againſt this *ſeparate Treaty*, and ſeems reſolved not to accede to it, though I have repreſented to Him, in the moſt preſſing Terms, what a wretched Condition I ſhall be in, and what a pitiful Figure I ſhall make, if He does not ſtand by Me. I have ſpared no Pains to juſtify my *Conduct*, and reconcile it to my *former Engagements*. I have told Him, over and over, that the original Deſign of my Allyance with *Him* was an Accommodation with Mr. *Lyn*; that, to attain a good End, I have been oblig'd to oppoſe Him, provoke Him, and exaſperate the whole Nation againſt Him. In ſhort, that the only Way to make Him my *Friend* was to *uſe Him very ill*, and obſtinately to purſue the *wrong Road*, for ſeveral Years together, on Purpoſe to get into the *right Road* at laſt.—But theſe Arguments, inſtead of pacifying Him, ſeem only to exaſperate Him the more. He reproaches me with *Ingratitude*, *Perfidy*, and *Violation of the moſt ſolemn Engagements*. His conſtant Anſwer to all my Solicitations is, that as He hath *preſerved his Fidelity, even to a Nicety*, and ſupported Me, upon ſeveral Occaſions, againſt the Deſigns of my *Enemies*, it little became Me to deſert Him and enter into *ſeparate Negotiations*, contrary to an expreſs Agreement, for my *own private*

private Intereſt. Nay, I am told that He reſents this Proceeding ſo far, that He is actually projecting a *Counter-Treaty* to defeat my Deſigns, and expoſe Me to the Contempt of the World. This hath obliged Me to draw back a little, though I am afraid that I have already gone too far to recover myſelf intirely. In one Point however I am reſolved to act the Part of a Man of Honour, and though I ſuffer'd myſelf to be drawn into a *ſeparate Negotiation*, I will communicate the moſt material Articles of the *Treaty* to the Publick as They were concluded and ſign'd between Us.

The Copy of a Treaty of Peace, Friendſhip and mutual Guaranty, concluded at Covent-Garden, *between* Caleb D'Anvers *Eſq*; *and* Rupert Lyn *Eſq*; *on the* 28*th of* April, 1731.

" TO all Perſons, whom it does or may concern. " Be it known that the ſerene *Caleb D'Anvers* " Eſq; Bencher of the antient Society of *Gray's-Inn*, " *Craftſman* and *Country Journaliſt* of *Great Britain*; " the moſt puiſſant *Rupert Lyn* Eſq; Bencher of *Lincoln's Inn*, Collector General of their Rents, Pay-maſter of their Debts, Superintendent and Steward " extraordinary of all their Eſtates, both in Town and " Country; and the high and mighty the States General of the united Provinces of *Grub-ſtreet*, having " ſeriouſly taken into their Conſideration the unhappy " Differences and Miſunderſtandings, which have ſo " long ſubſiſted between the ſaid Societies of *Gray's-Inn* and *Lincoln's-Inn*, have at length agreed upon " certain Conditions, which may ſerve as a Baſis for " ſettling theſe Diſputes, and renewing the ancient " Friendſhip between them, upon a ſolid and laſting " Foundation.

" For which Purpoſe, on the Part of *Caleb D'Anvers* Eſq; Mr. *Richard Francklin*, Bookſeller, Printer of the *Craftſman* and intimate Counſellor to

“ the ſaid *Caleb D'Anvers*; on the Part of the ſaid *Rupert Lyn* Eſq; Mr. *James Roberts*, Publiſher of the *Daily Courant*, the *Flying Poſt* and the *Hyp Doctor*, and intimate Counſellor of the ſaid *Rupert Lyn*, and *Mr. John Peele*, Publiſher of two Papers, call'd the *London Journal* and the *Free Briton*, and intimate Counſellor to the ſaid *Rupert Lyn*; and on the Part of the ſaid States of *Grub-Street* ************* being duely provided with full Powers, after ſeveral Conferences together, having firſt exchanged their credential Letters, agreed upon the following Articles and Conditions.

ARTICLE I.

“ That there ſhall be, from this Time forward and for evermore, between the ſaid *Caleb D'Anvers* Eſq; *Rupert Lyn Eſq*; and the united Provinces of *Grub-ſtreet*, their Heirs or Succeſſors, a firm, ſincere and inviolable Friendſhip, for the common Intereſt of the *contracting Parties*, who ſhall be obliged, by Virtue of this Article, to a mutual Defence, or, as it is called, a *reciprocal Guaranty* of all Rights, Privileges and Immunities, which each of them enjoys, or *ought to enjoy*, againſt any Perſon, who ſhall undertake to diſturb any of the *Contractors*, their Heirs, or Succeſſors, in the peaceable Poſſeſſion of them, excepting only in *thoſe Points*, from which it hath been thought proper to derogate by the *preſent Treaty*.

ARTICLE II.

“ Moreover, as it hath been frequently remonſtrated, on the Part of *Caleb D'Anvers* Eſq; and the States of *Grub-ſtreet*, that there can be no other ſure Way found out for eſtabliſhing a *laſting Peace*, than maintaining the *Liberty of the Preſs*, and an Engagement, or, as it is called, a *general Guaranty* of their Papers, and the Diſpoſition of their undoubted Property in them, according to certain A-

“ greements made for that Purpoſe in Caſe They, or “ either of Them ſhould happen to dye without Iſſue “ Male; the ſaid *Rupert Lyn* Eſq; moved thereunto “ by an ardent Deſire of preſerving the publick Peace, “ and particularly in Conſideration of the following “ Article, doth take upon Himſelf the *Guaranty of* “ *theſe Papers*, and the Diſpoſition of the Property of “ them; promiſing, in the moſt authentick Manner, “ to defend and maintain them, as often as there “ ſhall be Occaſion, with all his Power, againſt any “ Perſons, who ſhall endeavour to moleſt them in “ the Enjoyment and lawful Exerciſe of their Profeſſion.

ARTICLE III.

“ And foraſmuch as it hath been frequently repreſented to *Caleb D'Anvers* Eſq; and the ſaid States “ of *Grub-ſtreet*, in very ſtrong Terms, on the Part “ of *Rupert Lyn* Eſq; that the *Peace*, ſo long deſired “ between them, could never be eſtabliſhed on a laſting Foundation, without putting a Stop to all Hoſtilities againſt the ſaid Mr. *Lyn*, and ſuffering Him “ to enjoy all his Poſts of Honour and Profit, Titles, “ Dignities, Preheminencies, and Acquiſitions whatſoever, which He does, or *ought to enjoy*, without “ any Diſturbance, or Moleſtation; the ſaid *Caleb* “ *D'Anvers* Eſq; and the united States of *Grub-ſtreet* “ deſiring to enter into the Views, and to ſecond the “ laudable Intentions of Mr. *Lyn*, do hereby promiſe “ that They will not moleſt Him any longer in the “ Poſſeſſion of theſe juſt Privileges; but, on the contrary, engage, by this Article, to defend, or, as it “ is called, to *guaranty* them to Him and his Succeſſors, with their whole united Strength, againſt all “ his Oppoſers whatſoever.

ARTICLE IV.

“ That all the other Points, which remain to be “ ſettled between the *contracting Parties*, or their

" *Confederates*, ſhall be examined, diſcuſſed and de-
" cided as ſoon as poſſibly, without any Delay, or
" having Recourſe to farther Hoſtilities. It is like-
" wiſe punctually agreed and declared that all the
" Engagements, which the *contracting Parties* have
" made with any *other Perſons*, ſhall ſubſiſt as they
" now are; excepting only in *thoſe Points*, which
" may be contrary to the *preſent Treaty*.

ARTICLE V.

" The *preſent Treaty* ſhall be approved and rati-
" fy'd by *Caleb D'Anvers* Eſq; *Rupert Lyn* Eſq; and
" the ſaid States of *Grub-ſtreet*, and the Letters of
" *Ratification* ſhall be exchanged in the Space of ſix
" Weeks, to be computed from the Day of Signing.

" In Witneſs whereof, the Miniſters Plenipotenti-
" ary of *Caleb D'Anvers* Eſq; and *Rupert Lyn* Eſq;
" two of the *contracting Parties*, have ſigned *this*
" *Treaty* with their own Hands, and affixed their
" Seals thereto. Done at *Covent-Garden*, in the City
" of *Weſtminſter*, the 28th Day of the Month of
" *April*, in the Year of our Lord 1731.

L. S. Richard Francklin, of *Covent-Garden*.
L. S. James Roberts, of *Warwick-Lane*.
L. S. John Peele, of *Amen-Corner*.

There are ſeveral *ſeparate Articles* to this Treaty; the moſt material of which are the following.

Separate Article.

" Though in the *firſt Article* of the Treaty, ſigned
" this Day, between *Caleb D'Anvers* Eſq; and *Rupert*
" *Lyn* Eſq; it is mutually agreed to defend and ſup-
" port each other in all their juſt Rights and Preten-
" ſions, and to oppoſe, with all their Forces, any
" Perſon or Perſons, who ſhall offer to give them
" any Diſturbance; it is nevertheleſs agreed between
" them that *this Guaranty* ſhall not extend to the
" Support of any Intereſts, which either of the *con-*
" *tracting Parties* may have at preſent, or cultivate
" hereafter,

" hereafter, in any *foreign Dominions*, not ſubject to " the *Crown of Great Britain*.

This *ſeparate Article* ſhall have the ſame Force, *&c.*

A Declaration concerning the Guaranty of the Craftſman.

" Foraſmuch as it is ſtipulated, on the Part of " *Rupert Lyn* Eſq; in the *ſecond Article* of the Treaty, " ſigned this Day, that He will ſupport the *Craftſman*, with all his Force, againſt any Perſon, who " ſhall endeavour to interrupt the Courſe of it; it is " hereby declared to be under this Condition, that " the ſaid *Caleb D'Anvers* Eſq; does not write, or " ſuffer to be publiſhed, any Paper, Doctrine, or Poſition whatſoever, contrary to the Intereſt, Views, " or Deſigns of the ſaid Mr. *Lyn*.

This *preſent Declaration* ſhall have the ſame Force, *&c.*

A Declaration concerning the Rights and Immunities of Mr. Lyn.

" Farthermore, as Mr. *D'Anvers* hath undertaken, " in the *third Article* of the ſaid Treaty, to guaranty " to the ſaid *Rupert Lyn* Eſq; the ſecure Poſſeſſion " of all his Poſts of Honour and Profit, Titles, Dignities, Preheminences and Acquiſitions whatſoever; " it is nevertheleſs agreed by the *contracting Parties*, " in like Manner, that *this Article* ſhall continue in " Force no longer than the ſaid Mr. *Lyn* ſhall appear " to act for the Honour and Intereſt of *that Society*, " to which He belongs.

This *Declaration* is to be kept *ſecret*; but is nevertheleſs to have the ſame Force, *&c.*

Separate Article.

" Though the high and mighty States of *Grubſtreet* are mentioned in the Treaty, ſign'd this Day, " as a *contracting Party*; yet the Nature of their *Paper* not allowing them to inveſt any Perſon with " full Powers to ſubſcribe and ſign it in Form; it is

“ therefore agreed between *Caleb D'Anvers* Eſq; and
“ *Rupert Lyn* Eſq; that They will make Uſe of their
“ joint Endeavours to get *this Treaty* ſign'd and rati-
“ fy'd by the *ſaid States*, within the Space of three
“ Months, to be computed from the Day of ſign-
“ ing the *preſent Treaty*, or even ſooner if poſſible;
“ it being neceſſary to the great End They propoſe,
“ that the *ſaid States* ſhould become a Party, and
“ enter into Society of theſe Conventions.

It is neceſſary to acquaint the Reader that the Progreſs of theſe Negotiations with Mr. *Lyn* was communicated, from Time to Time, to the States of *Grub-ſtreet*; and though the Forms of *their Paper* would not allow them to enter into a previous Concert, yet I had all the Reaſon in the World to believe that the Conſent of their *Principals* would have been obtained long before this Time; but notwithſtanding all my Inſtances, I have not yet been able to prevail upon Them. The Truth is, that They ſeem to look upon Me with a jealous Eye, as a formidable Rival to Them in the Trade of *Author-ſhip*, and, though our common Intereſt is the ſame, would be glad to ſee me reduc'd a little nearer to a Level with Themſelves. Beſides, I begin to fear that there is too good a Correſpondence between *Them* and Mr. *Fog*; and that the *Memorial*, which He hath lately caus'd to be delivered to Them, complaining of my Conduct, hath had more Influence on their Councils than I ought to wiſh.

As to Mr. *Fog*, it hath long been objected to Me that there was *too cloſe a Conjunction between Us*; and therefore it would be ridiculouſly unreaſonable in thoſe Perſons, who have made this Objection, to blame Me for treating ſeparately with Mr. *Lyn*, in Excluſion of *that Writer*; yet I have had ſo juſt a Regard to my *former Allyances*, that I communicated the *Treaty* to Him, as ſoon as it was made; but That does not ſeem to give Him any Satisfaction, becauſe

cauſe I entered into the *Negotiations* without a mutual Concert, according to an *old Agreement*, which He hath trumpt up againſt Me.

By theſe Means, the great Work of *Peace* ſtands ſtill at preſent, or rather goes backward, and the Hopes I had conceived from the Treaty of *Covent-Garden* are almoſt vaniſhed. Mr. *Lyn* refuſes to put a Stop to the *Proſecution of Hoſtilities* againſt Me, till I can procure the Acceſſion of my *Allies*, and Affairs are now tending, in all Appearance, to a *ſpeedy Rupture* between Us. — If they ſhould happen to take another Turn, my Readers may expect an Account of it the firſt Opportunity. *A.*

Nº 257. SATURDAY, *June* 5, 1731.

We deſign'd to have taken a late infamous Doctrine, concerning the *Dependency of Parliament*, into Conſideration on this Day; but having been prevented by a particular Avocation, we are obliged to defer it till Saturday next, and hope our Readers will not be diſpleaſed with the following Letter, which is far from being unſeaſonable at this Time, whilſt the Writers, on the *other Side*, are indulging themſelves in all the Licentiouſneſs of Billingſgate Scurrility.

To CALEB D'ANVERS, *Eſq;*

Dear Caleb,

I Think no Kind of Folly more ridiculous than That, which diſcovers itſelf in a certain Superſtition for *particular Days*, *Letters*, or *Words*; and yet there is no Sort of Folly ſo generally prevalent amongſt People of all Ranks. — How many well-meaning Perſons, of both Sexes, have

been

en ſtruck with Horror, upon recollecting that They appened to pare their Nails upon *one Day*, or to be- in a Journey upon *another?* —— Great Pains have en taken, for ſome Time paſt, to divide the *Alpha- t* into Parties; and, for Want of other Matter of ontention, to ſet the *four and twenty Letters* toge- ier by the Ears. There is a particular Set of *Wri- rs*, who have lately conceived a moſt inveterate An- pathy to the Letter *P*; and yet I don't know a iore impartial Letter in the whole Alphabet; for it ands for a *Proteſtant*, as well as a *Papiſt*; for a *Penſioner*, as well as a *Patriot*; and is equally neceſſary to mark out a *Pym*, a *P—l—m*, or a *P—tn—y*. — There is another Set of Men, who have taken the ſame Diſguſt to the Letter *W*; and as it happens to be the initial Character of the Words *Wolſey* and *Wentworth*, have found an Opportunity to be inſufferably arch upon *another Gentleman*, without ſeeming to remember that *Walſingham* begins with the ſame Letter, as well as *W———le*.

But of the whole Alphabet, I think the Letter *R* hath had the worſt Uſage; and, as it hath been long made Uſe of to *ſtigmatize others*, hath been lately *branded itſelf* in a moſt ignominious Manner.

I muſt take the Liberty, Mr. *D'Anvers*, to obſerve that nobody hath been more ſevere than your ſelf upon this *unfortunate Guttural*; which, if I may be allowed a *Pun* upon the Occaſion, ſeems to *ſtick very much in your Throat*.

There is an *old Country Gentleman* of my Acquaintance, and a conſtant Reader of your Papers, who hath contracted an inſuperable Prejudice againſt the Word ROBIN; which He ſays hath a diſagreeable *Æquivoque* in the very Sound of the Name, and ſeems in his Ears incompatible with the Truſt of *publick Money*. As the *Julia*'s of antient *Rome* were generally eſteemed Women of *bad Characters*, ſo He can hardly believe it poſſible for a Man to be perfectly *honeſt*, whoſe Name is

Robin. I have often heard Him argue for the Neceſſity of aboliſhing the Name by publick Authority, as That of *Tarquin* was formerly in *Rome*, and That of *Macgregor*, but a few Years ago, in *Scotland*.

As He is a well-meaning Gentleman in the main, and far from wanting Senſe in other Reſpects, I have often endeavoured to convince Him of the Folly of ſuch Prepoſſeſſions, by ſhewing how ridiculous it is to ſuppoſe that a Man's *outward Appellation* can have any Effect upon his *inward Diſpoſition*, and producing Inſtances of ſeveral great Men, of the moſt unblemiſhe Characters, of all Parties and Profeſſions, who bear *th Name*; but He hath ſuffer'd himſelf to be carry'd away ſo far with this ſtrange Kind of Enthuſiaſm, tha all my Arguments make but little Impreſſion on hi Mind, and the moſt I can get from Him, when I preſs Him home, is that there is *no general Rule without ſome Exceptions*. When He hath nothing to object againſt the *Gentlemen*, whom I mention, He quotes Inſtances on the other Side to juſtify his Opinion in general. You cannot imagine, Mr. *D'Anvers*, how well provided He is with Authorities of this Kind, which He hath been collecting together for ſeveral Years paſt, and digeſted ſo methodically in his Memory, that He hath them ready at his Tongue's End upon all Occaſions.—I can recollect only a few of them at preſent.

He commonly begins with *Robin Hood*; who was, as He obſerves, no better than a *publick Robber*, and plundered the good People of this Kingdom by *military Force*, which protected Him for ſome Time from their Reſentments, and the juſt Puniſhment, which ſuch lawleſs Rapine deſerved. He ſays, that in ſeveral of our old Statutes *Thieves* and *Highwaymen* are diſtinguiſh'd by the Name of *Robertſmen*, from the Practices of *this Man* and his *Followers*. Yet there is one Point recorded of Him to his Honour; for as great a Plunderer of his Country as he was, our Hiſtorians tell us that he was *generouſly rapacious*; *that he ſpared the Poor, and made a Prey only of the Rich*; which muſt be allow'd ſome Extenuation of his Guilt.

He then proceeds to the Hiſtory of *Robin Goodfellow*, which He will not, by any Means allow to be fabulous; but pretends to prove that there was really ſuch a Man, who was *Prime-Miniſter* to one of our old *Engliſh Kings*, (I forget what was his Name) and being a *jovial, laughing Fellow*, led his Maſter, by falſe Information and ill Advice, into a continued Series of Difficulties; from whence, ſays He, it came to paſs, in Proceſs of Time, that all Kinds of *Ignes fatui*, or *falſe Lights*, were proverbially called by *his Name*, as They are to this Day. — I have often put Him in Mind that an *Ignis fatuus* is likewiſe call'd WILL *of the Wiſp*, and JACK *with a Lanthorn*; but He ſmiles at This, and ſays it is only an Artifice of *Robin* to put the People upon a wrong Scent; like the common Practice of *Pick-Pockets*, who join the loudeſt in the Cry of *ſtop Thief*, in order to keep unſuſpected Themſelves. He adds that this *Robin Goodfellow* was ſo notoriouſly void of all Regard to *Truth*, that nobody gave any Credit to what He aſſerted. This, ſays He, is the Reaſon why *Shakeſpeare* puts the following Words into the Mouth of *Hecate*, in *Macbeth*, when ſhe is preparing her helliſh Incantation.

LYAR ROBIN,
Thou muſt bob in.

The next Inſtance, which occurs to my Memory, is That of *Robin Dudley*, Earl of *Leiceſter*, the great Favourite of Queen *Elizabeth*; who was ſo voracious a Plunderer, that even the Wiſdom of that excellent Princeſs, as my *old Gentleman* frequently obſerves, could not prevent his *Robbing* the Nation.

The next Reign produced another Inſtance of a *publick Robber*, in the Perſon of Sir *Robert Car*, Knt. of the Garter, and afterwards Earl of *Somerſet*; a Man, who raiſed himſelf, *without any great Parts or Birth*, from a very inferior Place to the Office of *Prime Miniſter*, and directed the Affairs of a whole Nation with the utmoſt Inſolence and Wickedneſs. *Echard* tells us, *that all Addreſſes were made to* this Man, *who was ſaid to be Favourite in ordinary; that no Suit nor Reward were managed but by his Means; that his Hand diſtributed Favours, and his Hand reſtrained them, and that even the* Lords *could ſcarce have a Smile without his Approbation.* He was at laſt condemn'd for a moſt infamous Murder, which he committed, in the Wantonneſs of Luſt and Power, on the Perſon of Sir *Thomas Overbury*, his former Friend; and though he found Means to obtain the Mercy of a *weak Prince*, whom he abuſed and govern'd, yet he died at laſt an obſcure Death univerſally unlamented, *without Fame and without Poſterity.*

But what always ſeemed to give *my Friend* the moſt Delight, whenever he enter'd upon this Subject, was the modern Caſe of that notorious *Scotch* Rebel and Plunderer of his Country, *Rob Roy*; That is, ſaid He, either *King Robin*, or *Robbing the King*; though I have heard him affirm, at other Times, that *Roy* ſtood in old Language for *Rouge*, or *Red*, and that this *publick Felon* was called *Rob Roy*, or *red Robin*, in Alluſion to the Complexion of his Hair, or to a *certain Scarf* of the ſame Colour, which he uſed to wear acroſs his Shoulders, when he appeared in the Field at the Head of his Party.

My *old Friend* has ſeveral other little Stories, Authorities, Criticiſms and Conceits of the ſame Nature; particularly a humorous and ſatirical Method of explaining the Reaſon why *mutinous Sailors* chuſe to ſign their Names, when they engage to riſe againſt their Commanders, in an orbicular Manner, and to call this Agreement a *round Robin*; from whence comes the Phraſe, upon other Occaſions, when we have brought a Man into a Scrape, that *we have him as round as a Robin.*

I have likewiſe often heard him undertake to demonſtrate that the famous good-natur'd Story of the *Robin Red-Breaſts*, and the *poor Children in the Wood*, is nothing but an arrant Lye, invented by ſome wicked Wretch of *this Name*, in order to take off that Averſion from the People, which commonly adheres to it.

You ſee, Mr. *D'Anvers*, to what unreaſonable Antipathies *Party Prejudice* is apt to lead thoſe Men, who ſuffer themſelves to be guided by it. I hope you will always guard yourſelf againſt it, as you have hitherto done, and take this Precaution in good Part from

Your conſtant Reader

And humble Servant,

A. BOB NEUTER.

To CALEB D'ANVERS, *Eſq*;

Mr. D'ANVERS,

I Have not as yet got beyond the Title-page of the new Edition of your Works. I have been examining your *Picture* by the Rules of Phyſiognomy, and from them I can both deſcribe your *Temper* and predict your *Fate*. The *latter* I conceal, from a charitable Motive, at preſent; becauſe the *proſperous Events* would give you Impatience, as the *adverſe Events* would give you Anxiety. As for the Faults of your *Temper*, they are *Moroſeneſs* and *Melancholly*. You are apt to ſuſpect that the *worſt* will happen; whilſt I, from a ſanguine Conſtitution, bearing perhaps too much to the other Extream, always hope the *beſt*; eſpecially in Affairs of the Publick.

To indulge myſelf a little in this favourable Turn of Mind, I have made a Collection of the Dangers and poſſible Diſtreſſes of my Country, on one Side, and ballanced them, on the other, with unexpected, lucky

Events and Deliverances; to which I have added a Liſt of Opportunities loſt by *imprudent Miniſters*, and of freſh ones ſubſtituted by *bountiful Providence*.

Amongſt the *laſt*, I reckon the *preſent Conjuncture of Affairs*, put into the Hands of the Adminiſtration; which may either prove the Means of a *national Deliverance*, or elſe muſt lay an additional Load of Guilt on ſome *particular Perſons*; but becauſe I ſuſpect my own Skill in Politicks, I will only put a few *Queries*, in Relation to our preſent Situation with *Spain*.

1. Whether the King and Queen of *Spain* deſire the Settlement of their Son *Don Carlos* in *Italy*?

2. Whether *Britain* is not their *only Ally*, who has been at any Trouble and Expence about this Affair?

3. As *Britain* has been the *only Ally*, who has forwarded this Event, whether and how far ſhe has it in her Power to ſtop it?

4. Whether the Settlement of *Don Carlos* in *Italy* is of any great Advantage to Us, unleſs ſo far as it facilitates our other Negotiations with *Spain*; and therefore

5. Whether in that Senſe *Don Carlos* may not be reckoned as an Hoſtage for the right Behaviour of *Spain* towards us?

6. Whether it would not be extreamly ridiculous for *Great Britain* to intercede with *Spain* for her Conſent, as a Favour, to the Settlement of *Don Carlos* in *Italy*; or rather

7. Whether *Great Britain* ought not to obtain, previouſly to the Settlement of *Don Carlos*, what in Juſtice ſhe ought to expect from *Spain*, and a full Confirmation of all *former Treaties*?

8. Whether *Treaties* between Nations ought not to be *plain* and *explicit*?

9. Whether a *Miniſter*, who treats on any other Terms, is not like a *tricking Lawyer*, who cheats his Client with a *falſe Conveyance*?

10. Whether *Spain* does not ſeem, by her late Behaviour, to be in a Diſpoſition to obtain this Point of the

Settlement of *Don Carlos,* without tying Herſelf up from renewing her Demands upon us?

11. Whether ſuch Shuffling ought not to make the *Britiſh Miniſters* ſtill more careful, explicit and peremptory in their Demands?

12. Whether acting otherwiſe would not be lulling the Nation aſleep; cheating them with the Appearance of *Tranquillity,* when in reality there is none; and endeavouring to procure *Peace* amongſt our Neighbours, whilſt we have no Aſſurance of any for ourſelves?

13. If a *dangerous Meaſure* was become unavoidable, whether it had not been better for the Nation to have gone into it, whilſt in Strength and Vigour, rather than when exhauſted?

14. Whether *Britain* can keep *Gibraltar* and *Peace with Spain* at the ſame Time?

15. Whether it can be any Reflection on the *Spaniſh* Nation (if They are really ſincere) to confirm, in *explicit* and *plain Terms,* what they have granted in *former Treaties*; and whether their boggling at This is not a plain Sign of *fraudulent Intentions?*

16. Whether the Nation ought to remain any longer in a State of *Uncertainty,* and a *warlike Poſture?*

Perhaps, Mr. *D'Anvers,* I have a better Opinion of the *preſent Miniſtry* than You have; and I cannot believe them ſo deſtitute of common Senſe as not to go to the Bottom of this Affair, now they have brought it to the laſt Iſſue, and to do every Body's Buſineſs, except That of their own Country in a Negotiation, which has in various Shapes laſted ſo long and coſt ſo dear; for though They cannot be anſwerable for the good Faith of *that Potentate,* with whom they treat, yet they are intirely ſo that there be no Ambiguity, no Obſcurity in the *Treaty*; and This is ſtill the more neceſſary, becauſe ſome Things have interven'd, which give them at leaſt ſome Colour to wrangle.

In ſhort, *Spain* ought to ſpeak plain, whether ſhe will let us enjoy *Gibraltar* and our *Commerce* in Peace, or not. If She will not ſpeak out, what ſignifies all that we are doing for *Don Carlos*, but to put it in her Power to do us ſtill more Hurt. I hope we ſhall never give up *Gibraltar*, and much leſs ſuffer ourſelves to be trick'd out of it.

I am, SIR,

Your humble Servant,

C. BRITANNICUS.

Nº 258. SATURDAY, *June* 12, 1731.

THE *Writers againſt us*, who have the Impudence to call Themſelves *Writers for the Government*, have at length been driven into an open Avowal of ſeveral Doctrines and Poſitions, inconſiſtent with our *Conſtitution* and deſtructive of all *Liberty*. They have not ſcrupled to aſſert the Neceſſity of making *Great Britain*, in ſome Sort, a Province to *foreign Dominions*, nor been aſhamed to plead, without any Diſguiſe, for the *Dependency of the Parliament on the Crown*.

As *ſuch infamous Doctrines* abundantly juſtify the Deſign of this Undertaking, ſo They render the Proſecution of it ſtill more neceſſary. Not only the *Liberty*, but even the very *Being* of this Nation, as a *free Nation*, is almoſt become a Point in Diſpute. It is Time therefore to exert our ſelves, in its Defence, with more Vigour, and with leſs Reſerve. The publick Utility, the publick Safety requires it at our Hands; and We hope our Countrymen will give a double Attention to this important, to this eſſential Enquiry.

We propoſe to take a more ſeaſonable Opportunity of examining the Relation of *Great Britain* to his Majeſty's *foreign Dominions*; and ſhall enter, at preſent, into the Diſcuſſion of the *other Point*, concerning the *Dependency of Parliament*.

The Publick hath lately ſeen a *Letter*, dated from *Cambridge*, in Juſtification of a *certain Poſition*, ſaid to be advanced by a *learned Prelate of our Church*, againſt the *Bill*, commonly called the *Penſion Bill*. As *this Letter* muſt have given great Offence to every Man, who wiſhes well to our *Conſtitution*, We were in Hopes that his *Lordſhip* would have ſaved us the Trouble of expoſing it, by diſclaiming not only all Concern in *that Letter*, but even by diſowning the *Doctrine*, which is the Subject of it, and hath been propagated through the Kingdom in his Name. Inſtead of which, We have ſeen the Publication of it repeated, at different Times, in ſeveral Papers, without any ſuch Diſavowal; from whence I perceive the World is apt to conclude that it is, at leaſt, agreeable to his *Lordſhip's* Sentiments; but however That may be, or whether Theſe are the Words, which his *Lordſhip* delivered, the *Poſition* hath been openly juſtify'd; it is, by theſe Means, made a Point of Diſpute, and ſubmitted to publick Examination.

The Method We propoſe to obſerve, in this Enquiry, is *firſt* to lay down the *Poſition*, as it is given us by his *Lordſhip's* Advocates, with our Explanation of it; and *ſecondly* to apply the Reaſoning of the *Cambridge Letter* to the true Deſign of the *Penſion Bill*.— The *Poſition* runs in theſe Words, *viz.*

" For though *this Bill*, at firſt Sight, ſeems to be a
" *ſelf-denying Bill*, and to ſome particular Members
" may, perhaps, prove ſo; yet the *Commons*, conſidered
" as an *Houſe of Parliament*, will find in it, I ſuſpect,
" a *very great Enlargement of Power*; and whatever
" tends to break the *Ballance* between the Powers
" eſſential to this Conſtitution, muſt ſooner or later
" prove

" prove the Ruin of the whole. An *independent Houſe* " *of Commons*, or an *independent Houſe of Lords*, is as " inconſiſtent with our Conſtitution as an *independent*, " That is *abſolute*, *King*; and whoever loves the " *Liberties* and *Laws* of his Country, will no more " deſire to ſee *one* than the *other*. Let *Bribery* be " puniſh'd; let *Corruption* be puniſh'd; but not by " giving ſo much Strength to *one Power* of this Conſti- " tution, as ſhall make it able to over-bear the *reſt*.

The *Letter-Writer* tells us that *He is well aſſured Theſe were the very Words ſpoken by the Biſhop*; and though We are well inform'd that they have received ſome Softenings, yet the Doctrine is too flagrant to eſcape Cenſure.——Let us therefore examine the natural Import of it, as it lies before us.

How far *this Bill* is a *ſelf-denying Bill*, or would *enlarge the Power of the Commons*, will fall more properly under our *ſecond Head*, when We come to apply the Reaſonings of the *Letter-Writer* to the Words of the *Bill* it ſelf; but thus much it is neceſſary to obſerve in this Place; that the manifeſt Intention of the *Commons* was only to prevent all *pecuniary Influence* over the particular Members of their *own Houſe*; that all *ſuch Influence* is a *corrupt Dependence*; and that all *corrupt Dependence tends* (moſt effectually) *to break the Ballance between the Powers eſſential to this Conſtitution, and muſt ſooner, or later, prove the Ruin of the whole, by giving ſo much Strength to* one Power *of this Conſtitution* (That is, the *Crown*) *as ſhall make it able to over-bear the* reſt.

What can *this Gentleman* mean by ſaying, that *an independent Houſe of Commons, or an independent Houſe of Lords, is as inconſiſtent with our Conſtitution, as an independent, That is abſolute, King?*——If He means the *legal conſtitutional Dependency*, which each Eſtate of the Legiſlature hath on the others, ſo that none of their Reſolutions can paſs into Laws, and bind the People, without their concurrent Aſſent, We agree with Him; We have contended for it, as the only Baſis of our Conſtitution. But This could not be his Meaning. The Words, contain'd in the *Poſition*, are ſaid to have been ſpoken, and are certainly printed, againſt the *Penſion Bill*, which relates only to a *corrupt Dependence*; That is, a *Dependence* to be created by *pecuniary Motives*; nay, the *Letter-Writer* Himſelf defends the *Poſition* upon this Foot, as We ſhall ſhew hereafter. —— I will endeavour to explain my Meaning ſtill farther, by putting it into other Words; for our Cauſe requires no Diſguiſe, and is of ſuch Importance, that the moſt illiterate Man in the Kingdom ought to be made capable of underſtanding it. ——The *Houſe of Commons*, conſider'd as *one Part of the Legiſlature*, ought not to be independent of the *other Parts*, which are the *Houſe of Lords* and the *King*. In like Manner, the *Houſe of Lords* ought not to be independent of the *King* and the *Commons*; nor the *King* independent of the *Lords* and the *Commons*. In this Senſe then the ſeveral Eſtates of the Legiſlature are *dependent* on each other; but *this Dependency* ariſes from the Wiſdom and Happineſs of our Conſtitution, which hath provided that *no one Branch of the Legiſlature* ſhall enact any Thing to the Prejudice, or without the Conſent, of the *others*. It ariſes from the Neceſſity of a *mutual Agreement*, founded on *mutual Intereſts*; whereas if the Exerciſe of any *corrupt Influence* ſhould be allow'd, *one Branch of the Legiſlature* would gain ſuch an Aſcendent over the *others*, that the *Ballance* of our Conſtitution would be broken, and the *concurrent Aſſent* of the Legiſlature might not ariſe from the *mutual Intereſts* of Thoſe, who conſtitute it, but from a *Dependence*, which is created by *Corruption*.

I think This very plain; and therefore will proceed to obſerve that as the *King* hath *one whole third Share of the Legiſlature* in his own ſingle Perſon; ſo the *Lords* and the *Commons*, who are numerous Bodies and therefore more ſubject to *Influence*, ought to have a

Power to prevent ſuch a *particular Dependency* of ſome of their Members on the *Crown,* as would effectually deſtroy that *general Dependency,* on which our Conſtitution ſubſiſts.

When We conſider farther that, beſides a *third Part of the Legiſlature,* the *whole executive Power,* the Diſpoſition of *Honours* and *Preferments,* eccleſiaſtical, civil, and military, with other great Advantages (not in the leaſt affected by *this Bill*) are veſted in the *King,* He can have no Occaſion for any *other Influence* than what the *Conſtitution* gives Him, or what ariſes from that Confidence, which the Affections of his People may place in Him. —— A *limited Monarch* muſt be a *dependent Monarch*; but the *King of Great Britain* is certainly much leſs dependent than the *other Branches of the Legiſlature.*

Let Bribery *be puniſhed*; *let* Corruption *be puniſhed,* ſays this *worthy Gentleman*; and He ſays very well; but how ſhall *Bribery* and *Corruption* be puniſhed, unleſs They are *detected*; and how ſhall they be *detected,* if the only ſure Method of *detecting* them is deſtructive of our Conſtitution?

We muſt inſiſt upon it therefore, and will farther undertake to prove, that the Words attributed to the *Biſhop* are either *empty Sounds,* or capable of the *wicked Conſtruction,* that hath been put upon them; *and whoſoever loves the Laws and Liberties of his Country,* ought to abhor the Doctrine They contain. It hath, indeed, been already received with almoſt univerſal Indignation, and exploded by every diſintereſted, independent Man, of all Parties, in the whole Kingdom. Nay, I have had the Pleaſure to hear many Perſons, who lay under a Neceſſity to oppoſe the *Bill,* bear their Teſtimony againſt *this Doctrine.* The firſt Principles of our *Conſtitution,* and the very Seeds of all *Liberty* muſt be eradicated out of our Minds, before it can have any Effect. It is calculated only for the Meridian of an *arbitary Government,* and I will defy any Man to prove that the *Oxford Decree* had a worſe Tendency.

If *ſuch a Doctrine* can poſſibly do any Miſchief, it is becauſe it hath been ſpread through the Kingdom under the Sanction of ſo great a Name, and ſo excellent a Character, as *this Gentleman* hath long borne for Piety and Learning. Nobody can pretend to determine what Influence ſuch an Authority may have on ſome Minds. It would therefore be an Inſtance of Condeſcention, well-worthy a *chriſtian Prelate*, to take off the Prejudice, which his Reputation may carry along with it, by explaining his Intentions. His *Lordſhip* cannot forget that this Reaſon was formerly urged to juſtify the Condemnation of a * *certain dangerous Doctrine and Poſition*, of another Nature, in which *He* was principally concerned. It was apprehended that the Credit and high Station of the *Author* made it neceſſary to cenſure his *Doctrine*. This muſt be our Excuſe in the preſent Caſe; and I hope his *Lordſhip's* Example will be a full Juſtification of our Conduct.

As the *Cambridge Letter* was apparently written in Anſwer to a Paper, publiſh'd in *this Journal*, his *Lordſhip* cannot think it any Degree of Arrogance to conclude with aſſuring Him that if He ſhould think proper to diſclaim this *dangerous Doctrine and Poſition*, which hath been publiſhed in his Name, or to confine it to that *legal Dependency*, which our *Conſtitution* hath formed, We ſhall not be very ſtrict in our Enquiries, nor take much farther Pains to ſhew that it had no Relation to the *Penſion Bill*; but if *He*, or his *Advocates*, will undertake to defend any *other Dependency*, We are ready to enter the Liſts with Them, and muſt take the Liberty to expoſe *ſuch a Doctrine* as We think it deſerves. *D.*

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* *Advanc'd by Biſhop* Hoadley, *concerning Church Authority.*

Nº 259. SATURDAY, *June* 19, 1731.

To CALEB D'ANVERS, *Eſq*;

SIR,

THO' you are an *old Gentleman*, a *Philoſopher*, and a *Politician*; yet, if I recollect your Character aright, you have always expreſs'd a polite Regard for the *fair Sex*, and look'd upon Them, and their Judgment on your Works, with Pleaſure. I wonder therefore that you ſhould at any Time be ſo ungallant as to talk to them in an *unknown Tongue*; and particularly that you ſhould publiſh any *Latin*, without communicating to Them the Meaning of it. To talk to People, in Terms above their Capacity, can no more be ſaid to be quite mannerly than whiſpering in Company. Theſe Reflections were occaſioned by your *Motto*, taken out of one of *Tully*'s Orations againſt *Verres*, and placed in the Front of the Volumes of your Works, which you have lately publiſhed. It is, no doubt, a well-choſen, an elegant and a proper Motto; but the *Ladies* fancy, as you have choſen this piece of *Latin* to preſide over your collected Papers, that there muſt be ſomething extraordinary in it. That they may therefore receive the Pleaſure of reading it in their own Language, I have made it *Engliſh*. How much it will ſuffer, as every Sentence of *Cicero* muſt, when tranſlated, the Learned well know, and will allow for it; and the Unlearned will not condemn me for a Fault they cannot find.

This VERRES then, I muſt inform Them, lived in Times of *Corruption*; for there was ſuch a Thing as

Corruption, even ſo long ago as in *Cicero*'s Time. He was *Proconſul*, or Chief Governor of *Sicily*, one of the *Roman* Provinces; where he buſied himſelf very diligently, as if he had been born and bred nearer to our Latitude and Times, in plundering and harraſſing the poor People, over whom he preſided. He had paſſed thro' a long Courſe of Iniquity. He had amaſſed together, by all Sorts of publick Felonies, incredible Riches; and *Cicero* ſays in the *Oration*, from whence your *Motto* is taken, * " That a *pernicious Opinion*, " very dangerous to the Commonwealth, had prevail- " ed, not only at *Rome*, but among all *foreign Nations*; " that at *Rome* no Perſon could be convicted of any " Crime before the *preſent Senate*, or the *Fathers*, " however plainly proved, or however guilty he was, " if he had Money enough to bribe." — *Verres* frequently boaſted that he placed his Safety in *theſe Judges*. He gave it as the Reaſon of his *Rapine* and *Avarice*, that he well knew the Plunder would ſecure him againſt any Puniſhment due to his Crimes. He managed all publick Buſineſs for many Years almoſt *ſingly*, and without ſuffering any one to ſhare in the Direction; but He managed them *weakly* and *wickedly*. *Tully* takes Notice that He plundered without any Bowels, or Humanity; without the leaſt Regard to the Neceſſities of the Poor; that the Ports and Harbours of the Commonwealth were expoſed to the Enemy; that the *Sailors* and *Soldiers* of the Republick were ſuffered to periſh for Want; and that *large Fleets* were ignominiouſly loſt and deſtroy'd. *Cicero* undertook to plead the Cauſe of the *injured People* before the *Judges*, who were always in thoſe Days choſen out of the *Senate*. The *Motto* is taken out of his firſt Oration againſt *Verres*.

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* Inveteravit jam Opinio pernicioſa Reip. nobiſque periculoſa, quæ non modo Romæ, ſed apud exteras nationes, omnium Sermone percrebuit, his Judiciis, quæ nunc ſunt, pecunioſum Hominem, quamvis ſit nocens, neminem poſſe damnari.

CICERO in VERREM, Actio prima.

In *Engliſh* thus. — “ I have brought before you a *great Offender*; CAJUS VERRES; a Man already condemn'd by the *general Voice of the People*; in his *own inſolent Defiances*, and depending on his *great Wealth*, acquitted. In this Cauſe have I undertaken to appear, agreeably to the univerſal Deſire and Expectation of the *Roman People*; not with any Deſign to increaſe the publick Envy againſt Perſons in his Station, but to relieve my Country from the Infamy he hath brought upon it. You have a *Criminal* before you, by the Puniſhment of whom you may regain the loſt Credit of your *judicial Authority*; recover your Favour with the *People*; and give Satisfaction to *foreign Nations*; a *Plunderer of the Treaſury*; the Grievance of *Aſia* and *Pamphilia*; an *Invader of the antient Rights of the City*; the Scandal and Curſe of the Province of *Sicily*; againſt whom if you give a righteous and a juſt Decree, that Authority, which you ought to preſerve, will remain with you; but if you ſhould ſuffer his immenſe Wealth to defeat a ſtrict and impartial Judgment, yet thus far am I reſolved to undertake for myſelf, that Juſtice ſhall rather be denied to the Publick, than that a *guilty Man* ſhall eſcape without Accuſation.

Perhaps, ſome of my *curious* and *fair Readers* may deſire to know what Marks Hiſtory hath left us, with regard to the Perſon and Parts of *this wicked Miniſter*, againſt whom *Cicero*, that great Orator, has brought ſo warm and ſo weighty a Charge. As it happens, I have an Opportunity not only of obliging the *Ladies*, but my Readers in general, in this Particular; a Friend of mine having lately put into my Hands an antient Manuſcript in *Latin*, wherein the Author ſeems to have collected together all the Circumſtances he could get, relating to the Life and Actions of *this bad Miniſter*.

He was, ſays my Author, in Perſon *Vultus ahenei, in provectiori Ætate in Orichalcum convertibilis.* —

That is, He was, as Sir *John Falſtaff* is deſcribed, "*a whoreſon round Man, of a brazen Complexion,* "*which, when he was about Fifty, became fixed and* "*turned into a high Copper.*" He was a very *pleaſant, laughing Creature*; and to make out his Story, or when it tally'd with his Intereſt, he would not ſtick at a *Fib* now and then. Like the *fat Knight* too, *tho' he was not witty Himſelf, he was moſt certainly the Occaſion that Wit was in other Men.* His great Delight was, where Sir *John*'s Joy ſeems chiefly to lye, in *robbing the Exchequer. Verres* always chuckled at a Propoſal of that Kind, and actually put it in Practice more than once. You ſee the *Roman Orator* calls him *Depeculatorem Ærarij*; *Robber of the Exchequer. Shakeſpeare* makes Sir *John* declare that he *would do it with unwaſh'd Hands*; and *Verres* is mention'd, in this Manuſcript, to have had *turpiculas Palmas*; *little, dirty, unwaſh'd Hands. Verres*, we ſee, in the heighth of his Wealth, grew ſo audaciouſly familiar with *Authority* as to attempt to *bribe the Senate*, who were his *Judges*; and *Falſtaff* publickly invites his *Prince* to take Share of the Plunder. *Verres* robbed in *good Company*. He plundered under the Character of a *Preſerver of Property*, and always diſtributed a Share of the Booty among his *chief Officers* and *Projectors of his Jobs*. The *pleaſant, fat Knight*, I think, ſays "*that He was joined with no Foot Land Rakers*; "*no long-ſtaff, ſixpenny Strikers*; (That is, with no "*little, footpad Villains*) *but with Nobility and Tranquility*; *People* (ſays He) *that do not* PRAY *to their* "*Saint the Commonwealth, but* PREY *on her.*" This, we ſee, is exactly the Caſe of *Verres*. Tho' I did not think of a Parallel between *theſe two Heroes of the Highway*, when I firſt began to read my Manuſcript; yet, upon re-conſidering *thoſe Characters* together, I find they may be compared very juſtly. Sir *John* delighted always in *low, dull Drudges* about his Perſon and his Pleaſures. *Poins* and *Bardolph*, and *Peto* are his Creatures. They ſuffer his Jokes, and eat. They ſwallow greedily the Scraps of his Generoſity. — *Sociis ſervilibus, & de plebeculo, depeculatoribus gaudebat,* ſays my Author; That is, He choſe *dirty Companions,* who had large Stomachs and a quick Digeſtion of publick Plunder. Sir *John,* we know, eſpecially when he talk'd of his Courage, would *lye* moſt abominably; and not trouble himſelf how to get off, when detected. *Verres* would *ſhoot flying,* as the vulgar Phraſe has it, in the Face of a *full Senate.* He would affirm to the *Fathers* that a Fact was true one Day, and on the very next Day, without the leaſt Bluſh, without the flattening of one Muſcle, deny before the ſame Aſſembly what he had affirm'd. *Fat Jack* cries out, in a penitential Fit, "*would I knew where a Commodity* "*of* good Names *was to be bought!*"—*Verres* actually attempted to buy *this Commodity,* and hired great Numbers of *dull Scribes* with Money, to write *weekly Letters,* and to declare to all the World that He was a *wiſe,* a *righteous,* and a *juſt Man. Falſtaff* in a Fit of Vanity, in another Place, declares, "*there are not three* "*good Men unhang'd in* England, *and one of them is* "*fat, and grows old.*" *Verres* affirms, with the ſame Vanity, that he was ſummoned by the *Neceſſity of Affairs to take Care of the Commonwealth;* and that he was the only Man capable of doing it. *Rerum Neceſſitudine ad tuendam Rempublicam arceſſitus,* ſays the Manuſcript. Sir *John,* we all know, was a *Braggadochio;* an unreaſonable Boaſter of himſelf and his Parts. In his Dialogue with the *Prince of Wales,* he ſays, "*there is a goodly, portly Man and corpulent,* (innuendo "*Himſelf*) *of a chearful Look, a pleaſing Eye, and a* "*moſt noble Carriage; his Age ſome fifty; or, by your* "*Lady, inclining to threeſcore; there is Virtue in that* "*Man.*"— Exactly in theſe Words did *Verres,* and his *Dunces,* uſe to laud him. Every one has heard of the *famous Statue,* (mentioned by *Dion* the *Syracuſian*) which was raiſed to the perpetual Infamy of *this corrupt Miniſter,* and of the *little, blind Image,* called

Plutus, placed before him, pouring Money into his Lap, and endeavouring to ſcreen him from *Juſtice*; which *Goddeſs* appears in a threatning Attitude at a very little Diſtance, under the Character of the *Genius of Rome*. *Falſtaff* places his *little Page* before him, to cover him from the Sight of my *Lord Chief Juſtice*. The Alluſion is clear; the Moral is juſt; and the Parallel runs on all Four.

But as I may have ſaid enough of This, you will give me your Patience, while I make an Obſervation or two upon the Words of *Cicero*, in the *Motto* before us. The *Roman Orator* takes particular Care, in this Part of his Speech, to inform the *Judges*, what great Weight it ought to have with them, that *this wicked Miniſter* was already condemned by the Voice of the whole *Roman People*; and ſurely This ought to have Force. It always will have Force. The *Miniſter* is only the *Servant of the People*. He is ſet on high, and his Actions, as well as his Perſon, are conſpicuous. The *People* know, and ſee, and feel when he does well, and when he does ill; and their Judgments are generally right. He is condemned generally; — by whom? by the *People*. He is acquitted particularly; — by whom? by *Himſelf*. This Circumſtance points terribly at his *Guilt*; as the *ſingle Perſon*, who acquits him, may be ſuppoſed to know more of his Crimes than all his *Accuſers*. *Cicero* honeſtly and boldly tells the *Judges*, their Authority would ſink, ſhould they preſume to acquit *ſo guilty*, *ſo deteſted a Plunderer*. He lets them know that tho' they ſhould dare to let the *Impeachment* drop, he was determin'd to act like a *good Citizen*; and not to ſuffer *ſo notorious a Criminal* to eſcape without Accuſation; that tho' the Power of *Money* ſhould buy off their *Votes*, he would ſtill be deemed guilty by the *People*; and that Guilt againſt the *People* will and muſt be followed by Puniſhment. *Publick Wrongs* require *publick Reparation*.

But as I think, Mr. *D'Anvers*, this Character of *Verres* has not before been touch'd upon by you, or but very curſorily, in any of your Lucubrations, I hope you will, as you have Leiſure, handle it at full Length; and prove (ſince the late Writings of ſome *worthleſs Men* require it to be proved) that *publick Bribery* and *Corruption* are Crimes.

I have always believed, and I ſtill believe, (notwithſtanding the late infamous Doctrine of *Dependency*) that Crimes committed by *Miniſters*, or *Men in Authority*, were increas'd by the Breach of the *great Truſt* repoſed in them, and the *high Characters* they bore; but if it is not ſo; if *Fraud* and *Corruption*, committed by Perſons in *high Life*, are not Crimes; I do not know by what Logick they can be made ſo in *private* and *low Life*; and then poor *Japhet*, who very lately loſt his Ears, and ſome Part of his Noſe on the Pillory, has Reaſon to complain that a Sentence was executed upon him by an *old*, *unfaſhionable Statute*, made in good Queen *Beſſe*'s Days, when theſe Things were accounted *Crimes*.

R. *I am, SIR, &c.*

N° 260. SATURDAY, *June* 26, 1731.

The Subject of the Dependency of Parliaments *continued, in Anſwer to the* Cambridge Letter.

HAving laid down the *Poſition*, which is ſaid to have been advanced by the *learned Prelate*, and given our Explanation of it, by which I think it evidently appears that it could relate only to a *corrupt Dependence*; we ſhall now proceed to apply the Reaſonings of the *Letter-writer* to the *Bill* itſelf, and ſhew that our Senſe of the *Poſition* is the very Senſe, in which He undertakes to defend it.

He tells us, by Way of Preface, *that the preſent Queſtion is not whether* Bribery *is a bad Thing, or no; which neither the* honeſt, *nor* diſhoneſt *Part of the Nation will diſpute*, —— Knaves *dare not, and* honeſt Men *will not defend* Corruption; *and hence comes the general Conſent in ſuch Caſes.*

This is certainly a very juſt Obſervation; but ſomewhat indiſcreetly dropt on the preſent Occaſion. *Honeſt Men will not defend Corruption*, under any Shape, but oppoſe it ſtrenuouſly without Diſguiſe. *Knaves dare not defend it* openly, even in the moſt corrupt Age; but are obliged, for the Sake of common Decency, to carry on their Deſign under falſe Colours and Pretences. They are aſhamed, indeed, to *diſpute whether* Bribery *is a bad Thing* in itſelf; and therefore They lye under a Neceſſity of evading the true Queſtion, and repreſenting the *ſingle Point to be* (as this *learned Cantabrigian* maintains) *whether the* Method, *propos'd to ſtop* Bribery, *be an effectual Method, and conſiſtent with our Conſtitution.*——But let us ſee how He ſupports this Argument.

He tells us *that He got, with ſome Difficulty, one of the* printed Bills, *with the* Blanks *fill'd up; and, as He had heard that it related to* Places, Penſions, *and* all Rewards and Gratuities whatever from the Crown, *He read it in full Expectation of finding every Member of the Houſe of Commons made incapable of taking, or receiving in his own Name, or in Truſt*, any Place, Penſion, Reward, *or* Gratuity whatever; *but to his very great Surprize He found nothing like it.*

Who can help the *Ignorance*, or *Surprize* of *this Gentleman*, on being thus diſappointed in his Expectations? The *Bill* had paſs'd the *Houſe of Commons* above a Year before his *Letter* appeared; and though it was not printed till the *laſt Seſſion of Parliament*, He might have been inform'd, without much Difficulty, that it related only to *Penſions, during Pleaſure, or for any Number of Years, or Offices, held in Truſt for Mem-*

Members of the Houſe of Commons. No *Places*, of a *publick Nature*, either *civil or military*, which were not before made incompatible with a Seat in Parliament, are in the leaſt affected by it.—Is it not therefore very ſtrange that *this Writer*, who ſeems to have pretty good Intelligence in other Caſes, ſhould have entertained any ſuch *ſilly Expectations*, or be *ſurprized* at his Diſappointment?

He proceeds thus.—*The* Bill *creates no new Incapacity; and had it paſſed into a* Law, *any Member notwithſtanding might have taken* any Reward, *or* any Gratuity *from the Crown, which He could obtain.*—*How then are* Bribery *and* Corruption *ſhut out?*

If *Bribery* and *Corruption* would not have been *ſhut out by this Bill*, why have ſo much Pains been taken to defeat it *within Doors*, and to explode it *without Doors*, as if it was dangerous to the *Conſtitution*, by giving the *Houſe of Commons* too great a Weight?—But I ſhall have Occaſion to explain this Part of the Queſtion more particularly in another Place, as the Reader will immediately perceive.

All that I can find in the Bill (ſays the *learned Cantabrigian*) *is This—Every Member of the Houſe of Commons is to ſwear to this Effect*; "that He will "not, directly or indirectly, take or receive any *Re*-"*ward*, or *Gratuity*, from the Crown, during the "Time of his being a Member; or, that if He does "receive any *Gratuity*, or *Reward*, He will declare "it to the Houſe of Commons within fourteen Days.—"If any Member neglects, or refuſes, to take *this* "*Oath*; or if, taking a *Gratuity* or *Reward* after-"wards, He does not declare it to the Houſe, He is "made ſubject to the Pains and Penalties of *Perjury*, "&c.——The ſame Proviſion extends to *Places and* "*Penſions*.

I have choſen to quote the *Letter-writer's* Abſtract of *this Bill*, that I may reaſon the more cloſely with Him upon it; though it is manifeſt, at firſt Sight, that He hath, either willingly or ignorantly, miſrepreſented the *Bill*; for, according to his Abſtract, any Member, who *refuſes, or neglects to take this Oath, is made ſubject to the Pains and Penalties of* PERJURY; whereas in the *printed Bill,* which now lies before me with the *Blanks* fill'd up, the Penalty upon any Member, for *refuſing, or neglecting to take and ſubſcribe this Oath*, is only the *Forfeiture of his Seat*; and for *ſitting and voting in the Houſe, without taking and ſubſcribing it*, He is to forfeit the Sum of *thirty Pounds for each Day, that He ſhall ſit and vote as aforeſaid, with full Coſts of Suit, to be recovered in* Weſtminſter-Hall.——But I will be ſo candid as to ſuppoſe that This could be only a *meer Blunder,* and will therefore proceed to other Obſervations.

The *Letter-writer* obſerves, *that the whole comes to This. The Members may take what* Rewards, *what* Gratuities *They pleaſe, provided They declare what They take, within fourteen Days, to the Houſe of Commons.*—Is it not therefore plain from hence that the only Deſign of *this Bill* was to prevent all *ſecret, corrupt Influence* and ought not the *Houſe of Commons* to ſecure Themſelves, as well as They are able, from all *ſuch Influence* as tends to deſtroy that *Equality,* which is neceſſary to preſerve the Freedom of our *Conſtitution*, by rendering them abſolutely dependent on the *Crown?*

But *you and every Man* (ſays the *Letter-writer* to his *Friend) muſt naturally ask what is to be done, in Conſequence of* this Declaration? *To this Queſtion*, ſays He, *I can give no poſitive Anſwer*; *for here the* Bill *ſtops ſhort, and gives not the leaſt Intimation of the* Uſe *to be made of this Declaration.* —— I will inform this *learned Cantabrigian* what *Uſe* I apprehend might be made, and was intended to be made, of *this Declaration.*—I preſume then that the Deſign of it was to put *other Laws* in Force, which are already made to this Purpoſe, by detecting Thoſe, who may endeavour, at any Time hereafter, to violate, or evade them, by accepting of a *ſecret Penſion*, or having an *Office* *held in Truſt for them.* The very Title of the *Bill* ſhews This to be the Meaning of the *Commons.* It is called a *Bill for making more effectual the* Laws in Being, *for diſabling Perſons from being choſen Members of, or ſitting, or voting in the Houſe of Commons, who have any Penſion during Pleaſure, or for any Number of Years, or any Offices held in Truſt for Them.*— The whole Tenor of the *Bill* is exactly conformable to the *Title* of it, and hath manifeſtly no other Drift than to remove *that Screen*, by which any Perſons may endeavour to defeat the Intention of *other Laws, already in Being.* The Method of doing This is by a *ſolemn Declaration*, or *Purgation*, under the Sanction of an *Oath* ; and let any impartial Man judge whether This is not the *moſt effectual Method of ſtopping Bribery*, as well as perfectly *conſiſtent with our Conſtitution.*

But the *Letter-writer* deſires us to conſider that *whatever Uſe is to be made of* this Declaration, *it muſt be by the* Houſe of Commons only. —— *There the* Declaration *is to be made*; *and it would, He ſuppoſes, be a Breach of Privilege for any Perſon in this Kingdom to take Cognizance of what paſſes there.* —— *Beſides, the Uſe muſt be* diſcretionary *and* arbitrary ; *for there is nothing in the* Bill *to direct, much leſs to limit, the Uſe to be made of* this Declaration.

This Objection is founded on a palpable Miſconſtruction of the *Bill*; for though the *Declaration* is to be made in the *Houſe of Commons*, yet all Offences againſt it are to be left to the Cognizance of the *Laws already in being*, with which the *Houſe* cannot diſpenſe ; ſo that the Uſe of *this Declaration* will be neither *diſcretionary*, nor *arbitrary*, as is here repreſented ; for it is actually limited by the *Laws of the Land*, and referr'd to them by the *Bill* itſelf. —— This is particularly ſet forth in the *Proteſts of the Lords againſt rejecting the Bill*, which are become publick and deſerve the Peruſal of every *Engliſhman*, who deſires to be fully acquainted with the Merits of the Cauſe now before us.

The *learned Cantabrigian* ſuppoſes again, that *ſome future Houſe of Commons may refer the Conſideration of all* ſuch Declarations *to the Committee of Elections*; in which Caſe He obſerves, ſomewhat ſarcaſtically I preſume, *that though They ſhould be judg'd of there, and determin'd with the* ſame Honour *and* Juſtice, (*as He makes do Doubt but they would*) *that* Elections *are, yet nevertheleſs He fears the Conſequence of* erecting ſuch a Judicature *would be injurious to the Conſtitution.*

Now ſuppoſing This to be the Caſe, that *theſe Declarations* ſhould be decided with the *ſame Honour and Juſtice*, in the *Houſe of Commons*, that *Elections* are, I think the *Crown* hath no Reaſon to apprehend any Diminution of its Power from *ſuch Determinations.*

But it is neceſſary to obſerve, in this Place, that there is one eternal Fallacy, which runs through *this Letter*, and indeed through all the Writings, which have appeared againſt the *Bill* itſelf; I mean, that it would be *erecting a new Power, unknown to our Conſtitution*; *a Kind of ſupreme Judicature in the Houſe of Commons*; whereas it ſufficiently appears, from what hath been already ſaid, that this Objection is intirely without Foundation; and that the *Bill*, if it ſhould paſs, would give *no new Power to the Commons.* The *Letter-writer* Himſelf acknowledges *that the* Bill *creates no new Incapacity*; and it would give the *Commons no new Power*, unleſs the effectual Execution of our *preſent Laws* can be juſtly call'd *erecting a new Kind of Judicature, inconſiſtent with our Conſtitution*, of which *thoſe Laws* are already a Part.

It is farther ſaid, in the ſame fallacious Way of Reaſoning, *that, in all ſuch Caſes, the Honour and Dignity of the* Crown *ought to be ſaved, and not expoſed to the Cenſure and Judgment of the* People. *I remember no Law*

Law (ſays the *Letter-writer) that leaves the* Crown *at Liberty to give, and ſets up a* Judicature *to condemn, or approve the Gift.*

In Anſwer to This, it is only neceſſary to add, that the *Crown* hath already given its Aſſent to *ſeveral Laws*, which render the Enjoyment of a *Penſion*, or a *Place held in Truſt*, incompatible with a *Seat in the Houſe of Commons*; and *this Bill*, as I have before obſerved, was deſigned only to render *thoſe Laws effectual*, by detecting the *Abuſe* of them; ſo that the *Crown* could be no *Sufferer* by it, unleſs We are to admit ſuch a monſtrous Propoſition as ſeems to be imply'd in this Paſſage; *that the* Honour *and* Dignity of the Crown *conſiſts in a Power to evade, or favour the Evaſion, of* Laws, *which have been paſs'd under the royal Sanction.*

But it is asked, *can any Man pretend to ſay that no* Houſe of Commons *hereafter will ever ground any partial Proceedings on* this Bill? — No. Who can anſwer for This, in the *preſent Caſe*; or who can anſwer for it, in any *other Caſe?* All Laws are liable to be ſtrained and wreſted, by bad Men, from their original Meaning; but ought We therefore to reject an *uſeful* and *wholeſome Law*, (evidently ſuch, according to the Intention of the *Legiſlators)* in order to prevent the meer Poſſibility of ſuch *violent* and *iniquitous Conſtructions?* At this Rate, We ought to reject all *new Laws*; and perhaps the ſame Objection may hold equally ſtrong as a Reaſon for repealing moſt of our *old ones*; for I may defy the *Letter-writer* to name *one Law*, of any long ſtanding, which hath not been either perverted, or is not capable of being perverted, to bad Purpoſes. ——I might add, that *this Bill* ſeems to be liable to leſs Exception, or Abuſe of this Kind, than any *penal Law*, which hath been paſs'd theſe many Years.

Our *Author* ſeems terribly afraid that a *Republican Spirit may poſſeſs the Houſe of Commons again*, as it formerly did, and endeavours to alarm the *Nobility* with the Conſequences of it; but when it is conſider'd that *this Bill* would not incapacitate any *Officers, civil* or *military*, (near *two Hundred* of whom, if not more, are now in the *Houſe)* nor reſtrain the *Crown* from creating a farther Influence, by openly granting *Penſions, during Life*, to Members of Parliament; the *Letter-writer's* Apprehenſions muſt appear very frivolous, and the *Houſe of Lords* can have no Reaſon to fear the Effects of a *Republican Spirit in the Houſe of Commons.*

But here the *Letter-writer* ſtarts another Objection, and ſeems apprehenſive that *all the great Officers in the Kingdom may be excluded the Houſe of Commons by this Bill*; that *there is nothing in the Power of the Crown to give, or grant, but may be taken in under theſe general Words,* ANY GRATUITY, *or* REWARD WHATSOEVER.——*That it will include not only all Preferments to the Relations of any Member,* but even *the Favour of the* Crown *for the Pardon of* Offences; *for the remitting of* Fines, *or* Forfeitures; *for renewing* Leaſes, Grants, Patents, *and the like.*

I can ſee no Danger of ſuch Interpretations. The only Deſign of the *Bill* is to detect and prevent all *ſecret Influence of the Crown over the Houſe of Commons*, whether by *Penſions, Offices*, or any *other Gratuities* and *Rewards*, accepted, received, or held in Truſt for the *Members themſelves*; though it cannot be deny'd that even thoſe *publick Places, Penſions for Life*, and the *Advancement of Relations*, (which would be ſtill left tenable with a *Seat in Parliament by this Bill)* muſt have a very great Influence in the *Houſe of Commons*; and therefore the *Crown* can have no Occaſion for any *other.*

But whatever Force there may be in this Objection, it does not affect the main Point in Debate. If *theſe Words* ſhould be thought too extenſive, the *Houſe of Lords* have a Power of explaining and amending them. The great Queſtion between us is, whether ſomething of this Nature is not become neceſſary for the Preſervation of the *Freedom and Independency of the Houſe of Com-*

Commons; and whether the *Ballance of our Conſtitution* can long ſubſiſt, if the *Repreſentatives of the People* (who conſtitute *one Part of the Legiſlature*) are left at Liberty to *ſell their Voices* with Impunity, and render Themſelves *dependent on the Crown*.

Here then lies the Streſs of the Argument, and on *this Point* We expect to be anſwer'd; for it appears undeniably from the *Letter-writer's* own Words and Method of Reaſoning, that He contends for an Influence over the *Houſe of Commons*, to be created by *Rewards and Gratuities from the Crown*; That is, by *pecuniary Motives*; and We leave the World to judge whether *ſuch a Dependency* is conſiſtent with that *legal Dependency of one Part of the Legiſlature on the others*, which is the only Foundation and Stability of our Conſtitution.

POSTSCRIPT.

The Reader will perceive, from what is ſaid above, that it would be ridiculous for us to take any Notice of what the profound Mr. *Osborne* hath been pleaſed to advance in the laſt *London Journal*, concerning the *Dependency of Parliament*. He manifeſtly evades the Queſtion, by confining the *Biſhop's* Words and the Reaſonings of the *learned Cantabrigian* (which He confounds together) to the *legal, conſtitutional Dependency of Parliament*, for which We have conſtantly pleaded, and which it was the Deſign of the *Penſion Bill* to preſerve, by preventing all *illegal, corrupt Dependency*; a *Dependency* to be created by *pecuniary Motives*.—'Till Mr. *Osborne* therefore ſhall think fit to defend the *ſingle Point*, on which the whole Merits of the Cauſe depend, He may write on till Doom's-day, if He pleaſes, without Contradiction. But He hath likewiſe challenged us to prove our Charge, *that there are* Court-writers, *who have not ſcrupled to aſſert the Neceſſity of making* Great Britain, IN SOME SORT, *a Province to foreign Dominions*. Theſe are my Words; though that *exact Reaſoner* (as He ſeems to ſancy Himſelf) hath left out the Words, *in ſome Sort*; and, perhaps, He may expect that I ſhould quote a *Court-writer*, who hath aſſerted this Poſition in *direct, undiſguiſed Terms*. If He does, let Him triumph in our Defeat; for I don't remember, indeed, that even *theſe Writers* have yet made Uſe of the Word *Province*, upon this Occaſion; but I am able to produce ſeveral Paſſages out of *their Works*, which imply this Doctrine as ſtrongly as if it was expreſſed. I ſhall content my ſelf, at preſent, with one Quotation out of *his own inimitable Productions*, which I believe will fully ſatisfy the Publick of the Truth of what We affirm'd. It is taken from the *London Journal* of *May* the 15th; the ſame infamous Paper, in which He had the Boldneſs to aſſert, *that his late Majeſty would not have deſerv'd to wear the* Britiſh Crown, *if He had not employ'd the* MEN, *whom He did employ.*—At the Concluſion of *that Paper* He ſpeaks thus.

" The plain Truth is This. We are, at preſent, ſo
" ſituated, that whenever it is our Misfortune to be
" at Variance with the *Emperor*, We muſt have *ſome
" Troops in Germany, and Subſidies muſt be paid*. We had
" no other Way to ſave our ſelves from certain Ruin,
" than by chuſing the *Elector of Hanover* King; but
" it is ridiculous to ſuppoſe that the Royal Family
" will part with *that Electorate*; eſpecially made ſo
" advantageous by the Additions of *Bremen* and *Verb-
" den*. It hath, indeed, been a Queſtion, whether it
" would not be better for *England* that We had *no
" foreign Dominions*; but it is no Queſtion now, ſince
" We have them, and *can't part with them*, whether
" We ſhould not, in Caſe of Hazard, be at *ſome Ex-
" pence* to defend them, if it was only for the Sake
" of *that Family*, in whoſe good Fortune our own is
" bound up. This is but *natural Gratitude*; and if
" it is an *Evil*, it is a very *ſmall Evil*, which grows
" out of the greateſt poſſible Good."—He ſays afterwards, *that the* Hanover Dominions *may engage us to do*

That more warmly from NECESSITY, *which We ſhould perhaps do more cooly from* REASON.

I ſhall now leave the World to judge whether theſe Words do not amount, in their natural Conſtruction, to an Avowal, *that We are under a Neceſſity of making Great Britain,* IN SOME SORT, *a Province to foreign Dominions.* ——— Let the World, I ſay, decide This; for it would be a moſt irkſome, as as well as endleſs Task, to follow *ſuch a Writer* in the ſame dull Round of Sophiſtry and Prevarication. *D.*

N° 261. SATURDAY, *July* 3, 1731.

IT muſt be acknowledg'd that *perſonal Altercations* have been carried on, for ſome Time paſt, with great Licentiouſneſs; and the World cannot want to be inform'd who gave Occaſion to them. When *Men in Power* are unable to vindicate Themſelves, by a faithful Repreſentation of their Actions, or even to extenuate the Guilt of them, by a juſt Recrimination upon others, who think Themſelves obliged in Honour and Conſcience to oppoſe them; They naturally reſort to *perſonal Abuſe*, and endeavour to draw off the Eyes of the Publick from an Enquiry into their *own Conduct* to Matters of a *private Nature*, which have no Relation to the great Point in Debate.

There never was a ſtronger Inſtance of the Truth of this Obſervation than in the Caſe of Mr. *P.* who hath been moſt virulently attack'd in a continued Series of *Court Libels*, for above four Years paſt, without the leaſt Proof of Corruption, Miſmanagement, or any diſhonourable Practice in thoſe Employments, through which He hath paſs'd. Thus unblemiſh'd in his *publick Conduct*, indefatigable Pains have been taken to blacken his *private Character*, and when *Facts* are wanting to ſupport the Attempt, *bad Deſigns* are alledg'd againſt Him as a poſitive Charge. *Ambition, Diſappointment* and *Revenge* have been repreſented as the ſecret Motives of his Oppoſition to *Meaſures*, which every diſintereſted Man condemns as much as Mr. *P*. and the whole Kingdom feels to be wrong, in the moſt ſenſible Manner. For this Purpoſe, the general Notions of *Patriotiſm* have been ridicul'd, and no Endeavours have been ſpared to bring *publick Virtue* into Contempt. Doctrines, of the moſt pernicious Nature, have been advanc'd and defended for the Sake of a *ſingle Man*, whoſe Conduct can be defended on no other Principles than Thoſe, which have prevail'd in the moſt arbitrary Reigns, and have often ended (as They naturally tend) in the Deſtruction of the *Prince*, or the *People*, and ſometimes of *both*.

The Deſigns and Meaſures of *this Miniſter* have been ſo fully expos'd to the World, that He found Himſelf reduced to the laſt Extremity, and had no other Expedient left, to turn off the publick Attention from them, than by renewing the *perſonal Attack* upon his Oppoſers. A Pamphlet is accordingly publiſh'd, and ſpread through the Kingdom by *Authority*; in which Mr. *P*. is accuſed of *Avarice, Ambition, Corruption*, and all the *bad Qualities*, that can poſſibly enter into the Compoſition of a *wicked Man*. It is ſaid, *that the genuine Riſe of his* publick Spirit *was from the* Corruption of his own Heart; *that inſtead of having a* Spirit, *which might have done Honour to a* Roman Citizen, *in the beſt Times of the Common-wealth, a* Roman Citizen *would have been aſhamed of his* ſelf-intereſted Spirit, *even in the worſt of thoſe Times*; *that whilſt He concurr'd with the Government, He was as compliant to their Views, as if He had ſat in the* Parliament of Paris; *and that ſince He hath oppoſed this Government, He hath been as unreaſonably loud and vindictive*

vindictive againſt their Meaſures, as if He had been a Member of the Poliſh Diet.—*His mercenary Nature, his vindictive Temper, and boundleſs Ambition are ſaid,* in another Place, *to be well underſtood; that all Men know how ready and eagerly diſpoſed He is to give up his* Prince, *the Intereſt of his* Country, *and even the* Conſtitution *it ſelf.*

To ſupport this infamous Accuſation, it is at length confidently aſſerted (as it hath been often ſuggeſted againſt Him before) that He *inſiſted on being made Secretary of State*; and that his *Patriotiſm* proceeds from the Dictates of Reſentment againſt *that noble Perſon,* who refuſed to gratify Him in this Demand. His *private Character* is, at the ſame Time, put upon the Rack; the Management of his *domeſtick Affairs* is vilely traduced; and his *paternal Eſtate* moſt ſlanderouſly miſrepreſented as the Acquiſition of *publick Plunder.*

A Charge of this heinous Nature, as well as the *Manner* of propagating it, made it neceſſary to detect the Falſhood of it, and produced an Anſwer ſuitable to the Occaſion; an Occaſion, which ſufficiently juſtifies the Warmth contain'd in it, and would have juſtify'd any Expreſſions, which might have dropt from the *Author's* Pen, under ſuch a Provocation; but He hath the Satisfaction to obſerve that his Method of Writing is generally approved by the Publick, as neceſſary to the Defence of the *Gentleman,* in whoſe Cauſe He appeared.

There are, indeed, two or three Points, upon which the *miniſterial Hirelings* have already diſcharged ſome Vollies of Scurrility, and threaten more; which I am ſure will have no more Effect upon *this Gentleman* than the impotent Rage of a *ſcolding old Woman.* If they advance any more Falſhoods, or miſtake any Facts of Conſequence, I preſume the *Perſon,* who undertook his *Defence,* will purſue it and do Juſtice to Truth. In the mean Time, I beg Leave to make a

few

few Obſervations on *thoſe Parts*, which I find mark'd out to the *Court Scribblers* for Topicks of Declamation and Billinſgate.

The firſt Thing, that occurs to me, is the *Gentleman*'s Behaviour, when Application was made to Parliament for the Payment of the *Civil Liſt-Debt*, in his late Majeſty's Reign, and afterwards voting for it. His Conduct in this Affair is very clearly ſtated in the *Defence*, and muſt give every reaſonable Man full Satisfaction. Mr. *P*. did not oppoſe, nor intend to oppoſe, the Payment of *this Debt* from the Beginning; but only deſired that the Houſe might previouſly have ſome Account laid before Them of the *Manner* of contracting it, in order to prevent the Miſchief of *ſuch Precedents* for the future, by obtaining a Parliamentary Cenſure of them. Whilſt this Affair therefore was under the Examination of a *Committee*, Mr. *P*. might endeavour to detect ſome Iniquities, which He apprehended to be couch'd under it. He might, perhaps, call for ſeveral Papers with this View; or vote for an Addreſs to his Majeſty, on this Head, when it was moved by others. But when the *Bill* was once form'd, and the only Queſtion came to be, *whether the honeſt Creditors ſhould be paid or not*, He gave no Oppoſition to it whatſoever

I am inform'd that This is a true State of the Caſe; and yet *theſe Writers*, who are hired to cavil, abuſe and pervert common Senſe, have begun to triumph exceedingly upon it, as a Proof of *Unſteadineſs* and *Flexibility*. But is there really any Inconſiſtency in ſuch a Procedure; or does it not, on the contrary, ſhew the higheſt Regard for the Honour of the Crown, and the Intereſt of his Country? Might not any Man promote, or concur in theſe *preliminary Enquiries*, how the Debt was contracted, and yet vote at laſt for the Payment of it, without any juſt Imputation of *Inconſiſtency* and *Unſteadineſs?* I will illuſtrate This by a parallel Caſe. Let us ſuppoſe, for Inſtance, that the *Miniſter*, who contracted *this Debt*, ſhould involve his Country, after a long Courſe of fruitleſs Negotiation, in a dangerous, unneceſſary and expenſive War; what would be the Duty of an honeſt Member of Parliament, in that Caſe? Might He not endeavour to call the *Miniſter* to Account for his raſh Conduct; and yet, very conſiſtently with Himſelf, vote the *King* a Subſidy, which the publick Service render'd neceſſary to carry on the *War*, though it ſhould be thus unadviſedly brought upon Him?

I am not in the leaſt ſurprized that the *horrible Aſſociation* and *Conſpiracy of Patriots* (as it is call'd) againſt *this Miniſter* ſhould furniſh Matter for a great deal of pathetick Exclamation to a Man in *ſuch Circumſtances*, and of *ſuch a Conſtitution*. He, who hath not been able to recover Himſelf from the Fright, which the *Declaration of a ſingle Man* gave him about three Years ago, muſt be under the moſt dreadful Apprehenſions, upon hearing that *ſeveral Gentlemen* have united in a Reſolution to take the firſt Opportunity of *putting Him upon his Trial, and giving Him up to the Juſtice of his Country*.——But why will the *poor Man* be always bluſtering and throwing out his Defyances in ſo ſilly a Manner, if He finds ſomething deficient within Himſelf to ſtand the Shock of a *publick Examination?*

As to the Cruelty of *this Combination*, (which is exaggerated into a Sort of *Aſſaſſination Plot*) give me Leave to put another Caſe. We will ſuppoſe that a *wicked Man*, prompted by the ſordid Ambition of amaſſing Wealth, ſhould find means, at any Time hereafter, to engroſs the Exerciſe of all Power for ſeveral Years together; that, wanting Abilities himſelf, and being jealous of the Abilities of other Men, He ſhould obſtinately blunder on in the Dark, and negotiate his Country into a Labyrinth of almoſt inextricable Difficulties; that, being at laſt driven into the utmoſt Diſtreſs, He ſhould endeavour to ſupport Himſelf by openly corrupting a Majority of both Houſes of Parliament,

ment, and abuſing the Confidence of his Royal Maſter. —— In ſuch a Caſe, I ſay, what is to be done by the honeſt Part of the Nation, and eſpecially by every uncorrupt Member of Parliament? Should They ſuffer Him to go on without Controul, and compleat the Ruin of his Country; or ought They not to enter into a firm Reſolution of calling Him to Account, and diveſting Him of that Power, which He hath ſo ſcandalouſly abus'd; eſpecially, when He hath the Inſolence to give out in his *Libels*, *Levees*, and *private Converſation*, that He knows their *Price*, and can have any of Them, when He pleaſes? Does not even This make it neceſſary to enter into *ſuch an Agreement*, were it only to preſerve their Reputation; and is it not farther juſtify'd by a Regard to the publick Good? — I deſire to know which Point is of moſt Conſequence; the Security of the *Miniſter*, or the Safety of the *Nation?* — which is an Inſtance of the greateſt Cruelty; the Puniſhment of *One*, or the Deſtruction of the *Other?*

The next Point, upon which the *miniſterial Advocates* have endeavour'd to raiſe a Clamour, is that Part of the *Gentleman's Defence*, which relates to *ſecret Hiſtory*, and *private Correſpondence*. They affect to exclaim very loudly againſt *this Method of Defence*, as diſhonourable, perfidious, and contrary to all the Rules of Friendſhip; but how unjuſtly and impertinently this Accuſation is brought, will immediately appear.

In the firſt Place, it is evident that the Converſation between *this Gentleman* and the *Miniſter*, upon a *certain, memorable Reconciliation at Court*, (which ſeems to gall moſt) was not originally Matter of *private Correſpondence*, nor intruſted to *this Gentleman* under the Familiarity and Confidence of an *intimate Friendſhip*, as the *Objectors* alledge; for it appears from the Account itſelf, that the *Miniſter* ſent for Him, and when He came, affronted Him with an inſolent Story that He had taken the Liberty to ſell Him like a Sheep in the Market, and had actually fix'd the Price upon his

Head; that the *Gentleman* expoſtulated very warmly with Him upon it; treated Him with the Diſdain, which ſuch Uſage deſerved, and parted in Reſentment. —— Can This be call'd *private Correſpondence*, or betraying Secrets, dropt in the *Intimacy of Friendſhip?*

But ſuppoſing even This to be the Caſe, it will be as little to their Purpoſe; for though We admit it to be diſhonourable, in general, to diſcloſe *private Correſpondence*; yet this Rule, like all others, hath ſome Exceptions, and there are particular Caſes, in which it is ſo far from being diſhonourable, that it is even neceſſary and praiſe-worthy to divulge the *moſt ſecret Hiſtory*; eſpecially when a Man is attack'd with the *ſame Weapons*. *Self-Defence* is the ſupreme Law of Nature. It is *this Law*, which juſtifies even the Reſiſtance of *Princes*, and reduces a Tyrant, in royal Robes, to a Level with the meaneſt of his People. Since *Reputation* therefore ought to be as dear to a Man as Life, Liberty, or Property, *this Law* will authorize the Defence of it by any Methods againſt the AGGRESSOR. —— Let us now apply this Reaſoning to the Caſe of the *Gentleman accus'd*.

I have already taken Notice of the virulent Manner, in which Mr. *P.* hath been calumniated, both in his *publick* and *private Character*, without any Foundation of Truth, or Regard to Decency, for ſeveral Years together. Let it therefore be conſider'd whether a *Man of Honour* is obliged to remain paſſive under ſuch an Attack, continued with ſo much Inſolence; or whether He hath not a natural Right to vindicate Himſelf againſt his *Accuſer*. If He hath ſuch a Right, He muſt likewiſe be at Liberty to exerciſe it by *thoſe Methods*, which his *Defence* renders neceſſary; and if the Charge againſt Him is founded on *ſecret Tranſactions*, it is certainly conſiſtent with the ſtricteſt Rules of *Honour* to juſtify Himſelf, by explaining *thoſe Tranſactions*. The Queſtion therefore is reduced to this Point; *whether Mr.* P. *was not firſt attacked in this Manner?* If That can be proved, and I think it wants no Proof, He is fully juſtified in what He hath already done, or may do farther in his own Vindication.—Was He not accuſed in one of the *miniſterial Pamphlets*, above two Years ago, of having ſent a *Letter to the late King*, in which He was ſaid to have made a mean Submiſſion to his Majeſty for ſome Expreſſions, which He had made uſe of in the *Houſe of Commons*; though I am well aſſured that if He had thought fit to publiſh *that Letter*, it would have come out as much to his Honour, as ſome *other ſecret Tranſactions*, which have been lately laid to his Charge? But That is not immediately to my preſent Purpoſe; for ſuppoſing *this Letter* had really been of ſuch a Nature as They repreſent it, was it not divulging *private Correſpondence*, to publiſh the Contents of it; and who could poſſibly know the Contents of it but *Somebody*, to whom his late Majeſty might have imparted it in Confidence? I know many Perſons, who thought that Mr. *P*. was at full Liberty to open all the *ſecret Hiſtory* He knew, even at that Time; but it ſeems He waited for *farther Provocations*; and if He had neglected Thoſe, which were given Him in the *Remarks*, He would have been guilty of a very great Diſregard to his own Character. It is poſitively aſſerted, in *this Libel*, *that the very Day of his* Patriotiſm *may be aſſigned, and that We can date the Hour of its Birth*. This is afterwards explain'd to be at the Time, when *He inſiſted on being made Secretary of State, and was refuſed*. Now let me ask, who could poſſibly be ſo very punctual in this Account, as to aſſign the very *Hour* of this great Revolution in the *Gentleman's* Politicks, except the *Miniſter*, to whom He is charged with *inſiſting upon that Employment*, and by whom He is ſaid to have been *refuſed?* If This were really true, was it not a *ſecret Tranſaction*; and was not the Publication of it a Breach of *private Correſpondence?* If it was falſe, how could the *Gentleman* clear Himſelf from the Charge ſo effectually, as by giving the World an Account of *thoſe Tranſactions*, which had paſſed between Them, relating to publick Affairs?—He is accuſed, in the *ſame Libel*, of *Diſaffection to his Majeſty's Government, and want of Decency to his Perſon.* Was it not therefore juſtifiable, and even incumbent upon Him, to purge Himſelf from the Guilt of this Charge, by giving one remarkable Inſtance of his Zeal and Regard for his Majeſty's Honour, at a very *critical Conjuncture?* Will not ſuch an Accuſation, conſtantly repeated, juſtify Him in retorting the Charge upon the *Author* of it, in the ſtrongeſt Terms?

I ſhall not make any Obſervation on the *Veracity* of this Recrimination, founded on the Probability and Harmony of Circumſtances, which attend it; becauſe the *Gentleman's Honour* is pledg'd for it, and the World is left to decide upon his *Character.* My only Deſign is to ſhew that no Law, divine or human, reſtrains a Man, under ſuch Provocations, from diſcloſing *ſecret Hiſtory*, when it is neceſſary to *Self-Defence*, and the Nature of the Charge will admit of no other Evidence.

It appears undeniable, I think, that Mr. *P*. was firſt attack'd with *theſe Weapons*; and We may judge what Advantages would have been taken againſt Him, if He had not defended Himſelf in the *ſame Manner*, by the Treatment of the *other Gentleman*, aſperſed in the *Remarks*; who choſe to decline his own Vindication, in ſome Particulars, rather than accuſe *Others*, either living or dead, who had no Concern in the *preſent Diſpute.* This was perfectly agreeable to the Rules of *Honour*; and yet have no Advantages been taken of it? Hath not *this Gentleman* been already charged with making a *partial* and *ſhuffling Defence* for the ſame Reaſon, that the *Other* hath been charged with *Breach of Friendſhip and Honour?*

But the Caſe is very different between opening *Facts of a ſecret Nature*, when they affect Perſons, not at all engaged in *theſe Altercations*, and when they can affect only the *Accuſer*. If Mr. *P*. therefore had been ſo tame as to ſit down contented under ſuch a Load of *perſonal Calumny*, what would have been the Conſequence?

Why, the *Court-Libellers* would have cry'd out, with much more Juſtice than They did in the *other Caſe*; *did ever* Honeſty, *or* Decency *ſhut the Mouth of* Innocence? *Did ever* Honour *baſely ſubmit to* Infamy? Shame *and* Guilt *are only ſilent in the Day of Enquiry.* Conſcious Honeſty *is open*; *nor* Decency, *nor* Modeſty *forbids the juſt Defence of a Character under Accuſation* —Hath not the *Accuſer* Himſelf given Mr. *P.* a full-Latitude, in this Paſſage, to enter into *ſecret Hiſtory*; and is it not moſt ridiculouſly abſurd to accuſe Him of *Breach of Honour*, after ſuch a *Defyance*, as well as the Authority of his *own great Example?*

Some of his *little Advocates* have already taken Pains to make the World believe that He had no Concern in the *Libel*, which gave Occaſion to *theſe Altercations*; and, perhaps, He may have the Modeſty to deny it Himſelf, according to Cuſtom, when He ſees it exploded. But ſuch mean Artifices will not paſs any longer with Men of Senſe. We are able to bring full Proof that it was propagated by *Authority*; that Multitudes of them have been given away *gratis*, and ſent into all Parts of the Kingdom. They have been thrown into *Coffee-houſes*; diſpers'd by the *Officers of the Revenue*; and there is not, I believe, a little *Poſt-Houſe* in the Nation, to which it hath not been ſent, for the Inſtruction and Edification of the Neighbourhood.

If This is not a ſufficient Juſtification of Mr. *P.* I deſire to know in what Caſes *Decency* and *Honour* will allow us to *defend a Character under Accuſation.*

D.

◆

SATURDAY,

N° 262. SATURDAY, *July* 10, 1731.

To CALEB D'ANVERS, *Eſq;*

Mr. D'ANVERS, *Briſtol, June* 23, 1731.

WHEN People, who equally profeſs a Regard for the Intereſts of their Country, are divided in their Sentiments about the Management of publick Affairs, (which is generally the Caſe in free Nations), there is not I think a ſurer Teſt, by which one may examine the Pretenſions of the contending Parties, than by obſerving their Behaviour, when they hear of any *Loſſes* and *Diſaſters*, which have befallen their Fellow Subjects. If it happen to be a Kingdom, which ſubſiſts chiefly by *Trade*, and hath ever been in Poſſeſſion of the Dominion of the *Sea*, the Reception, which Inſults and Cruelties committed upon *Merchants* and *Sailors*, meet with from the *different Factions*, will ſtill prove a more clear Rule to determine one's Judgment upon ſuch an Occaſion. If *one Party* receives ſuch Accounts with all the Marks of real and unaffected Compaſſion; if They vigorouſly exert themſelves to obtain Redreſs for the *injur'd Sufferers*, and call aloud for Vengeance againſt their Adverſaries; while the *other* hears of their Misfortunes with Coldneſs; endeavours to ſtifle their Complaints, and brow-beat their Evidences; if They ſhew no Concern either for the Sufferings of private Men, or the invaded Honour of their Nation, and perhaps make a Jeſt of their Sufferings in private Converſation; it will be no hard Matter to decide which of *theſe Parties* are moſt in earneſt, in their Profeſſions of Love to their Country. But if we ſhould ſuppoſe that the Perſons, ſo ſlightly affected with ſuch Loſſes, are *Men in Power*, who have the Means in their Hands, either to prevent ſuch Calamities, or to puniſh the Authors of them, and yet neglect to do it, while they oppreſs the Publick with *Taxes*, in order to put wild, impracticable Schemes, quite foreign to the true Intereſt of their Country, in Execution, and to enrich themſelves and their Families, it is impoſſible to find a Name bad enough for ſuch complicated Wickedneſs.

Far be it from Me to make any Application of this Obſervation to the preſent Situation of Affairs in *Great Britain*. We have, indeed, frequent and melancholy Accounts of the cruel Treatment, which the mercantile and ſeafaring Part of our Countrymen meet with abroad; and it cannot be diſſembled that we have ſuch Monſters at home, as have not been aſhamed publickly, and in Print, to make themſelves merry with theſe affecting Misfortunes. The reigning Joke in moſt of the Pamphlets, and other Papers of a *certain Faction*, hath been a ſneering Repetition of ſuch Words as theſe, *the Depredations of the Spaniards; the Loſſes of our Merchants in the Weſt Indies; no Satisfaction for the Sufferings of our Traders, &c.*

That, which has undone Multitudes of Families, is a Subject of Mirth and Laughter to *theſe ſtupid, awkard Buffoons*, and their *abandon'd Patrons*. Wretches, who live and fatten upon the Profuſion and Miſapplication of the publick Treaſure, are thus inſenſible of the Calamities, which their bad Conduct hath brought upon the unfortunate, induſtrious Men, whoſe Labour and Skill imported that very Money, which is ſo idly and ingloriouſly conſumed.

I am not ignorant, Mr. *D'Anvers*, that you have been much upbraided by your *Adverſaries* for what you have already written on this Subject; and that it hath been inſinuated that you have rais'd too much Clamour on this Head. But I hope neither their pitiful, low Raillery, nor the ſcandalous Conſtructions They have put upon the Repreſentations of this Nature, which you have formerly made, will diſcourage you from reſuming ſo neceſſary a Theme. When ſo many provoking Occaſions offer themſelves, it is the Duty of every honeſt Man to ſound the Alarm. It is ſhocking to human Nature to hear of the many Depredations, attended with all the Circumſtances of Horror, which have happen'd of late. It looks as if we were in ſo poor a Condition, that we are obliged to our *Enemies*, when they are ſo good as only to plunder our Ships of their Money and Goods. Barely to rob our Merchants, is become Humanity. When *Cutlaſſes*, *Gunskrews*, and *lighted Matches* are not employed, we ſeem to owe them Thanks. What a diſmal Train of Ideas does the plain Story of Captain *Jenkins* raiſe in the Mind of every thinking Perſon? The barbarous Circumſtances, which attend this honeſt Man's Sufferings, and their inſolent Defiance of his Majeſty, when they bid him *carry his Ear*, after they had cut it off, to *King George*, muſt fill the Breaſt of every *Briton* with the moſt lively Reſentment.

What is ſtill more ſurprizing, this hard Fate attends *our Countrymen* only. The *French* have numerous Settlements in the *Weſt-Indies*. The *Dutch* have ſeveral. Yet all of them go about their Buſineſs unmoleſted. We hear of nobody inſulted, tortur'd and murder'd but his Majeſty's Subjects. How it comes to paſs, that the *Britiſh Nation* is thus ſingled out, from among all the trading Nations of *Europe*, to be plunder'd and cruelly uſed, is what Time, perhaps, will diſcover. But ſurely ſuch a ſcoundrel, vile Race of Men, as the Crews of *Guarda Coſta*'s commonly conſiſt of, never durſt take ſuch Liberties with a Nation confeſſedly their Superiors at Sea, if they had not Aſſurances of Impunity from ſome Quarter or other, or if They did not think our Hands tied up. I believe I may venture to aſſert, that no Fluctuation in the Affairs of *Europe*, no *Treaties*, *Allyantes*, or *Guaranties* could poſſibly have prevented either the *Dutch*, or *French*, (had it been their Caſe) from reſenting and repelling ſuch flagrant Injuries and Incroachments long before this Time.

The Caſe of Capt. *Stevens* of this City is little inferior, in the cruel Uſage of Himſelf and Ship's Company, to That of Captain *Jenkins*. Tho' we have been aſſured almoſt a Twelvemonth ago that the few Men of War, which are at preſent ſtation'd in the *Weſt-Indies*, had Orders to act offenſively againſt this *execrable Mob of Pyrates*, yet ſo lately as laſt *April*, one of their Sloops had taken no fewer than eight *Engliſh* Ships in the Space of twenty Days, and was in Purſuit of two others.

If one was to peruſe the boaſting Panegyricks beſtowed upon a *certain Perſon*, at the Concluſion of the Treaty of *Seville*, and the mighty Advantages, that were promiſed to *Commerce* by the Admirers of that Tranſaction; if at the ſame Time, one was to compare all the fine Things then ſaid with the frequent Captures of our Ships and inhuman Tortures of our Men ever ſince, it would not heighten one's Opinion of the Veracity and Modeſty of *theſe Writers* and their *Supporters*.

May it not be ask'd, is This all the Satisfaction we are to have for our paſt Loſſes and Sufferings, while our *Commiſſaries* are making a Figure, at the publick Charge, in *Seville?* How many honeſt, induſtrious Families are ruined; how many uſeful, laborious Men are expoſed to the moſt barbarous Cruelties, in going about their lawful Employments, purely becauſe they are *Engliſhmen?*

Five Years are now almoſt elapſed, ſince Admiral *Hoſier* acquainted the *Secretary of State*, that with the Squadron he then commanded he could not only deſtroy all thoſe Ships, but effectually demoliſh all thoſe *Neſts of Pyrates*, the Harbours and Towns in the *Spaniſh Iſlands*, from whence they were fitted out. If that *brave Commander's* Advice had been then complied with, what a Number of Mens Lives, what a great Quantity of Riches might have been ſaved to *Great Britain*; not to mention the national Diſgrace, which is fix'd upon us in ſo laſting a Manner, by a long Submiſſion to ſuch grievous Outrages, which would have been intirely avoided, if our Men, inſtead of being ſuffered to rot at *Porto Bello*, had been ſo gloriouſly employed?

If it did not look like dictating to our Superiors, I could venture to offer it as my Opinion, that it would tend as much to the Honour and Advantage of the Nation, at this Time, to employ a Fleet in the *Weſt-Indies* for this Purpoſe, as to deprive our Merchant Ships of their Hands, in order to introduce *Don Carlos* into *Italy*. Is the Eſtabliſhment of any of the Deſcendants of the friendly Houſe of *Bourbon*; is any one Thing on the Continent of equal Importance to *England* with her *Trade* and *Commerce*, with the Safety, Lives and Liberties of the moſt valuable Part of her Subjects? Legions of *Writers* may be hired to extol the Conduct, and to cry up the Vigour and Prudence of an Adminiſtration; but when a *few, deſpicable, ruffian Mulattoes* and *renagadoe Negroes* are ſuffered to arrive to that Pitch of Inſolence as not only to ſeize the Properties, but to maim and mangle the Perſons of his Majeſty's Subjects, and haughtily order them *to carry their bloody, torn Members to their Prince*; I ſay, when ſuch unparallel'd Affronts to *Majeſty* it ſelf are continued for Years, every Body will conclude that the *Miniſter*, who with a ſlaviſh Tameneſs goes on to ſuffer it, muſt have negotiated his King and his Country into very fine Circumſtances. I ſhall conclude with taking Notice, that it does not in the leaſt alter the Caſe here, whether this Scene of Violence is the Effect of ſecret Orders from the *Court of Spain*; of the Connivance of *Spaniſh Governors*; or of the Pyracies of *private Men*. To which ſoever of theſe Cauſes it may be owing, or if to all of them, it is ſtill Fact that it hath been continued for a ſcandalous long Time; that the Nation, which has ſuffered, might have ſuppreſs'd thoſe Wretches long ago, if their Ships of War had been ordered to protect their Merchants, or if the Subjects had been allowed to make Reprizals and do themſelves Juſtice.

I hope the Time is not far off, when this Myſtery of Iniquity will be fully laid open, and when our deluded and inſulted Country will really receive full Satisfaction for all its *Loſſes* and *Diſgraces*.

R. *I am, Sir, yours,*

Nº 263. SATURDAY *July*, 17, 1731.

To CALEB D'ANVERS, *Eſq;*

SIR,

THERE is an Expreſſion in an old Comedy, call'd *the Neſt of Fools*, that I never knew the Meaning of till very lately. One of the Characters, I think he is call'd Sir *Hercules Nonſenſe*, ſays to ſome People, who are talking all together, and very loud, "*Gentlemen, I perceive by the great Noiſe you make that you would be private.*" That is, He perceives that They would conceal ſomething they were doing, whilſt they confounded Folks with their Vociferation. This, *Sir*, is your Caſe with your Antagoniſts at this Time. They would conceal their Actions by their Noiſe. They would take off the Attention of your Readers from Affairs of the greateſt Weight and Moment, whilſt they would perſuade them to liſten to the Gabble of a Sett of *miniſterial Scolds*. *Theſe Writers* are not unlike thoſe Thieves, who throw Duſt in our Faces, and whilſt we are buſied in clearing our Eye-ſight, pick our Pockets. Now, *Sir*, though I hope you are too wiſe and too wary to ſuffer yourſelf to be amuſed with theſe little juggling Artifices, it is certainly very right to guard ſtrictly againſt them, and to let your Readers ſee their Deſign. You will therefore purſue your Meaſures cooly, with Temper and Courage, as you have hitherto done. The Manners, the Morals, and the Learning of *Thoſe*, who oppoſe you, are ſufficiently underſtood. They plead for the Bread they eat; and ſurely they are as excuſeable as their *Betters* for receiving a *ſmall Penſion*, and voting with their *Maſter*. They are intruſted by the Publick with nothing, and they have nothing to loſe. What they ſay is as little regarded, as what they do. Whatever they affirm, or whatever they deny, their Veracity hath the ſame Weight with Mankind. The Evidence of Thoſe, who are convicted of Untruths in our Courts of Juſtice, is not to be taken in Law; and Thoſe, who ſtand convicted of Falſhoods by their own Writings, have publiſhed Records againſt Themſelves, and are equally denied Credit by the Publick; and could *theſe Perſons* at any Time ſpeak Truth, we know very well neither Truth nor Falſhood will do a common Lyar good. He is ſtuck faſt.

In a Paper like yours, which is apparently intended for the Service of the Publick, the Queſtion ought always to turn on the Merit of *Facts*, not of *Names*. The World hath long ſince decided on the publick Virtues of *two Gentlemen*, who have lately employed their Attention, and they need not to be informed to whom they are to give Credit. The Character of the *One* wants no Addition. The Character of the *Other* can ſink no lower. Let your *illiterate Opponents* deal in Scurrility and Scandal. Theſe are their only Weapons. Reaſon and Truth are yours.

Give me Leave therefore to ſay, Mr. *D'Anvers*, that in my Opinion it is not at all unreaſonable even now to inform us *Country Gentlemen*, how Things go.——How does the Affair of *Dunkirk* ſtand at this Time? What Ships of Burthen will now ride in that Harbour? Are the *Baſin*, the *Piles*, and the *Risbank* in no better a Condition than they ought to be, by the Treaty of *Utrecht?* Have the *French* diſcontinued to repair them, ſince our laſt Repreſentation? Or have they, ſince the laſt Repreſentation, repaired any of thoſe Works? Have they acceded to our late glorious Treaty of *Vienna*? Is their *Cordiality* the ſame towards us that it hath been? Or why is it not?

We would likewiſe very willingly know how the Affair of *Gibraltar* ſtands. Are the Works, which the *Spaniards* were carrying on before that Fortreſs, and before their late *Acceſſion* (or *Approbation*, if you pleaſe to call it ſo) to the Treaty of *Vienna*, finiſhed? Will theſe *new Forts* affect our Ships in the Road, or be uſeful to the *Spaniards* in the next Siege? Are they augmenting their Troops every Day before that Place? We think here that *Gibraltar* can never be wreſted out of our Hands by *Force*, and hope it will never be given up by *Treaty*. Do the *Spaniards* continue to plunder our Merchants-Ships in the *Weſt-Indies*? Do they treat our Mariners with the utmoſt Inhumanity? Do they ſeize them on the open Seas, and when they have not the leaſt Pretence of doing it, on Account of their carrying on any *illicit Trade?* Why are *Engliſhmen* inſulted; *Engliſhmen* only? Why are they particularly and cruelly diſtinguiſhed from all other Nations? And why is This done at this Time, when we are obliging them every way, at a very great Expence, and executing our Treaties in the moſt punctual and exact Manner? Why are not *Letters of Mart* granted to our injur'd Merchants in the *Weſt-Indies*, that they may be enabled to do themſelves Juſtice by making Repriſals? What Reparation hath been made our Merchants for their former Loſſes? What Satisfaction have they received? Have *Commiſſaries* been yet appointed by the

King of *Spain* to meet and treat with ours, who have long waited there, about ſettling that Account? What Diſcount do theſe Clāims of the Merchants bear upon the *Exchange?* Have they any Price? How will the Detention of the *Plate Fleet* affect our Bankers? The Papers tell us ſome very great Houſes abroad are ſhut up already on that Account.

Pray give us your Opinion, if notwithſtanding the *Declaration of his Catholick Majeſty*, by the Marquis *de la Paz*, that He will not believe the Reports of the *Dutcheſs of Parma*'s being with Child, it ſhould happen to be proved by undeniable Evidence, and ſhe ſhould be delivered of a *Boy*; what Equivalent will be given to *that Prince* for his Dominions? Will This be accounted an Act of *Juſtice?*

Inform us, if our Fleet ſhould by contrary Winds, or any other Accidents, be prevented from introducing *Don Carlos* by the Time ſpecify'd in the King of *Spain*'s *Act of Approbation*, will This vacate the *whole Treaty?* What are we to do then? Are we to begin again? Are we to go on another Year on the ſame Project? And who is to be at the Expence?

What meant the *late Marches and Countermarches of Troops*, in a Time of *full Peace*, as we were in Hopes we might call it now, when all our *Allies* either have acceded, or are, as they tell us, on the Point of acceding to the late *Vienna Treaty?* What is this odd Medly of *Peace* and *War?* This ſtrange Miſcellany of *Conventions* and *Diſagreements*, *Hoſtilities* and *Allyances?* Theſe Things confound us Country Folk ſtrangely. We would willingly learn how the Affairs of the World go; but we can get no Manner of reaſonable Intelligence. The common News-Papers contradict themſelves and one another continually. Now they tell us *theſe Troops* are marching to guard our Coaſt; now they are to wait on *Don Carlos*; but we cannot by the Uſe of our Reaſon conceive what either our Horſe or Foot have to do in this *Itali-*

an Expedition; nor can we find out where the Enemy is, who is to attack our Coaſts; ſo that, in the preſent Situation of Affairs, we can only ſtare at one another, and wonder. Some People fancy'd we were alarm'd at the *French*. Others ſay the *French* were alarm'd at us. *We*, They ſay, were apprehenſive of an Invaſion on the Coaſt of *Kent*; and *They* ſuſpected our Fleet intended to viſit *Dunkirk*. However, God be praiſed, it is now over, and ſo are our Fears, and I hope we ſhall all ſleep quietly again, without being diſturb'd with the martial Muſick of Drums and Trumpets. The mutual Jealouſies, that the *French* and *We* have conceived, put me in Mind of *two Gentlemen*, who met on the Road. Each fancied the other to be a Highwayman. They ſtopped and primed and pauſed. Neither would attack. Neither would be plunder'd.—When one of them, warming his Courage with an Oath, cry'd out, by *G—d, Sir, I will not be robb'd.*—*Nor I neither by* G—*d, ſaid the other*; and ſo both trotted on, without Hoſtilities. But will you inform us? How did this Alarm affect our *Stocks*? Did it not ſink their Price? Might not ſeveral People, whoſe whole ſmall Fortunes are placed there, be frighted, and ſell out, when they ſunk? And might not others, who are in the Secret, take this Advantage and buy, when they are at the loweſt? Might not ſuch a Tranſaction in the *Alley* be accounted a *political Robbery*? If this Alarm is given on a juſt Foundation, as I do not doubt it is, how is our *late Peace* ſecure? What Truth is there in the many Aſſurances and Aſſertions, that have been ſo often given in Publick, by the *Writers* againſt you, that all Parties were ſatisfy'd, all Intereſts ſettled and taken Care of by the *late Treaty*? If this Alarm ſhould at laſt prove only an Alarm, is not *Property* in the publick Funds ſomething precarious?

You have a Right, as an *Engliſhman* and a *Freeman*, to reaſon on publick Affairs. Nay, tho' what you ſay ſhould proceed, as your Enemies falſly affirm, from

Motives of *Ambition*, *Envy*, *Malice*, or any *other Paſſion*; yet while you publiſh nothing, but what is founded on *Truth* and *Juſtice*, your Teſtimony will ſtand good. Even *theſe Motives* will not invalidate your Evidence. They can only affect you in your *private Character*. You may be ſtill uſeful to the *Publick*. All Arguments founded on *Truth* and *Juſtice* will have their proper Weight; nor could you, if it were your Intereſt, impoſe on the People, in any material *Fact*, or *Circumſtance*. They like your Reaſonings. They approve your Reflections. Why do they approve them? They ſee, and, God knows too often feel, what you ſay to be *true*. You ſpeak their Senſe; and they wiſh your Labours may ſucceed, as they are honeſtly intended for their Relief.

Give me leave then to ask you a few more Queſtions. You cannot imagine how your Anſwers will comfort us *Country Gentlemen*. Are you of Opinion, now this Stir is over, that Orders will be ſent to disband our *Heſſian Mercenaries*? Will there be a Reduction of our *national Forces*? A Reduction of *Regiments intire*, not of a few private Men in each Troop and Company? May we hope to ſee our *Trade* flouriſh? Will our *Manufactures* revive? Shall We have Time given us, next Winter, to perfect ſome Bill, that will prevent the Exportation of our *unwrought Wool*, and take Care of our *Plantation Trade*? Shall We have the Happineſs to ſee our *Taxes* decreaſe, and *Poor* relieved from the heavy Burthen they labour under? Shall We not be diſappointed again in the Loſs of the *Penſion Bill*?—Your Judgment upon theſe and other Queſtions, which We think are of Moment towards preſerving our *Liberty* and *Property*, may ſet us right, and enable us to think properly of publick Tranſactions; for We can depend upon *You*. We not only have great Confidence in your *Truth*, but we remember too that you have much Weight with a very *egregious Politician*. You pointed out to him where our *natural Ally* was to be found. He deſpiſed your Advice, and took it; but if Things do not go right, you may depend upon it,He will throw the Blame on you, tho' the Advice might be good. If he ſhould bungle in the Manner of purſuing it and miſcarry, That ſurely ought not to be put to your Account but to his. You prevented him from committing a certain Prank in *Ireland*. He railed at you; but He ſtopped ſhort, and ſaved himſelf the Trouble, at leaſt, of getting the broad Seal placed to a Pardon for that Project. This, *Sir*, is the very *Politician, quem nulla neſciet Poſteritas*; That is, *whom all Poſterity will have Reaſon to remember*. This is that very *Politician*, whom a very ingenious Perſon has lately in Print compared to * St. *Paul*. He confeſſes indeed, (I think it is his only Plea) that He has no Manner of Acquaintance with him.

R *I am, SIR, &c.*

N° 264. SATURDAY, *July* 24, 1731.

SOME *late Occurrences* and *Proceedings* have induced me once more to reconſider my *own Conduct*, and compare it with the Conduct of my *Adverſaries*: Though I have frequently done This, upon particular Occaſions, I apprehend that it will be of Service, at preſent, to lay the Sum of our Controverſies in one View before the Publick. Such a curſory Recapitulation will not only juſtify my Writings, but naturally bring us back to the great Point in Debate, from which our *Adverſaries* have endeavoured to divert us by *perſonal Abuſe*, and *extraordinary Appeals to the Secular Arm*.

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* Vide *Obſervations*.

The general deſign of *thisPaper* hath been ſufficiently explain'd upon ſeveral Occaſions; particularly in my late *Dedication to the People of England.* What We propoſed to ourſelves, in this Undertaking, may be ſumm'd up in a very few Words. It was *firſt*, to eſtabliſh thoſe general Principles of Government, upon which the true Intereſt, Happineſs and Glory of this Nation are founded, and upon which only they can ſubſiſt; *ſecondly*, to give our Countrymen, from Time to Time, a genuine Account and Information of all great Tranſactions of State, which might occur while We continued to write.

This was the Deſign, which We profeſs'd at our firſt ſetting out; which We have hitherto purſued with inflexible Conſtancy; and which We are ſtill determined to purſue, unleſs ſome *Act of Power* ſhould render it abſolutely impracticable. This is a *Deſign* ſo honeſt, ſo juſt, ſo legal, ſo neceſſary, and therefore ſo popular, that even the Men, who are hired to write againſt us, have not dared directly to attack it; and yet their Attacks have really and in Truth been level'd againſt the *Deſign* itſelf, and not, as They pretend, againſt our *Manner* of conducting it. They have therefore endeavour'd to fix *other Deſigns* upon us, by falſe Interpretations given to ſeveral Parts of our Writings. Theſe Interpretations have been occaſionally refuted; and therefore I ſhall only obſerve here, that ſuppoſing our *Deſign* to be what We profeſs, I cannot ſee, upon Recollection, how it is poſſible to carry it on in any *other Manner* than That, which We have hitherto purſued, and upon which the Objections againſt us are founded; from whence it follows, by neceſſary Conſequence, that the Objections are made to the *Deſign* itſelf, and not to the *Manner* of conducting it.

I will not pretend to ſay that no particular Expreſſions have ever fallen from my Pen, or from the Pens of my Correſpondents, in the Hurry of writing, or the Warmth of a juſt Oppoſition, which may not be wreſted to bear ſome malicious Comments. If there are any ſuch Paſſages, or Expreſſions in my Writings, I have often declared my Readineſs to explain, or retract them, and am very ſorry they ſhould give an Umbrage, which I did not intend. But what I muſt inſiſt upon is, that the general Tenor of theſe Writings hath been anſwerable to the profeſs'd, original Deſign of them. This general Tenor muſt be preſerved, or We muſt abandon our Deſign, and Thoſe, who write againſt us, muſt be left to give what Accounts they pleaſe of publick Affairs, and make what Impreſſions they are able on the Minds of Men, without Contradiction; the Conſequences of which will be immediately explain'd.

But what is this *Manner* of writing, to which ſo many Objections have been made; or how is it poſſible to avoid theſe Objections, if We purſue our *Deſign?* We know very well, by Experience, how far our *Adverſaries* are willing to allow the *Liberty of Writing*, and to what Bounds they would reſtrain the Uſe of it; That is, to Panegyricks and Encomiums on all *miniſterial Schemes*. To make any Doubt of the Wiſdom of the Deſign, or the dextrous Management of *theſe Schemes*, is ſufficient, according to theſe Men, to convert the moſt decent and well-intended Writings into *ſeditious*, and even *traiterous Libels*.——If we forewarn our Countrymen againſt any Meaſures in Agitation, which We apprehend to be dangerous, it is call'd *furniſhing Arguments to the King's Enemies*——If We chuſe to avoid this Imputation, by waiting for the Event of them, and then condemn the Meaſures, which produced ſuch an Event, We are charged with *defaming his Majeſty's Government*——Let me ask now what is to be done in this Caſe, or what is the plain Meaning of theſe Objections? Why, that we ought not to write againſt the Management of publick Affairs at all; for if We do, We muſt write either before, or after they are tranſacted; and both, you ſee, are repreſented to be criminal.

Another Objection to our *Manner* of writing is, that it is *perſonal*, and that We always bring our Reflections home to *one Man*. But how, again, can This be avoided, conſiſtently with our *Deſign*, in the preſent Circumſtances of Affairs? Can We, or ought We to animadvert on Miſmanagements in Government; and yet decline taking any Notice of the *Author* of them?— In other Times, We might have found Fault with one Man for the Conduct of *maritime Affairs*, and with another for the Management of *Land Affairs*. We might have complain'd of one, for the ill Conduct of *foreign Negotiations*, and of another, for the Miſapplication of the *Revenue at home*.——But is This the Caſe at preſent?——Is the *miniſterial Power of the Nation* divided?—— Is there a mixt Adminiſtration of many Perſons, in different Departments; or is there more than *one Spring of Action?*—Do not the *Writers againſt us* ſeem to take a particular Pleaſure in ſtyling *their Patron* the *Prime Miniſter?*—Hath He not avowedly conducted *all our Affairs at home?*—Hath He not directed, and tranſacted by *Himſelf*, or his *Brother*, *all our Affairs abroad?* — Did not *this very Man* make Himſelf anſwerable for the Succeſs of *Meaſures*, which every Body elſe thought to be wrong at the Time of negotiating them, and which the Event has ſince proved to be wrong? Why ſhould We therefore be any longer accuſed of *perſonal Pique*, or *private Reſentment?* Are there not Reaſons ſufficient, of a publick Nature, to juſtify our Conduct? If We have frequently reflected on *this Gentleman*, He muſt accuſe his own Ambition, his own Jealouſy, his own engroſſing Spirit, which have monopolized all Power in *Himſelf*, and center'd all Complaints in his *ſingle Perſon*.

In like Manner, when We have enter'd upon the Subject of *Government in general*, We have been charged with a Deſign of attacking *his Majeſty's Government* in particular, and of undermining the *Proteſtant Succeſſion*; though nothing is more evident than that We have aſſerted the very Principles, upon which *his Majeſty's Government* is founded, and upon which the *Proteſtant Succeſſion* muſt be ſupported.

Great Pains have been taken to interrupt our Examination of the *preſent Times*, by reviving the Tranſactions of a *former Adminiſtration*. Our Anſwer to This ſhall be very ſhort and plain. If the *Craftsman* had appear'd, as a Writer, in Queen *Anne*'s Reign, We are very free to declare that We ſhould have written againſt ſeveral Meaſures of her Adminiſtration; but, at the ſame Time, We ſhould have been more impartial than our *Adverſaries*. We ſhould not have condemn'd the Meaſures of her Reign by wholeſale, and when We did condemn, We ſhould have fairly aſſign'd to every Man in Power his particular Share of Blame. We ſhould have had the utmoſt Contempt for the Advocates of *that Adminiſtration*, if They had endeavoured to run us off from the Conſideration of *preſent Grievances*, by perpetual Declamations on the Miſmanagements, real or ſuppoſed, of K. *William*'s, or any *former Reign*. — If I had written, at that Time, I ſhould, for Inſtance, have blamed the *Miniſters* for not obtaining a proper Diſtrict of Ground round *Gibraltar*; but when the Want of it hath been ſo fully demonſtrated by fatal Experience; when ſo many ſubſequent Treaties have been made, and ſo many favourable Conjunctures have offered themſelves; ſhall We be diverted, by continued Complaints of that Omiſſion, from complaining that nothing hath been done ſince, to ſupply that Deficiency? Shall we not rather transfer all our Complaints on *Him*, who hath not only neglected to ſupply *that Defect*, but hath even brought our *Right* to that important Place, which his Predeceſſors left indiſputable, into the chief Point of Contention?

Let us conſider the Folly and Chicanery of this Reaſoning in another Inſtance. — I do not remember that any Objections have been lately made to *thoſe Miniſters*, for what They did in the Caſe of *Dunkirk*.

The Demolition of the Fort and Harbour was fully ſtipulated; and, notwithſtanding the affected Delays and Artifices of the Court of *France*, the Stipulation was at laſt fully executed. — Ought the preſent State of *Dunkirk* therefore to be overlook'd by us, becauſe We might have been induced, at that Time, to have cenſured ſome other concurrent Meaſures of the Adminiſtration? Shall our *preſent Advocates of Power* be ſuffer'd to draw our Attention, when They declaim eternally againſt *thoſe Miniſters* for being too much in the Hands of *France*, whilſt *Dunkirk* is undeniably reſtored to the Condition of being an *Harbour* again, and We have too much Reaſon to apprehend that it will be likewiſe *fortify'd* anew?

But theſe perſonal Altercations and mutual Recriminations are of little Conſequence to the Publick. What chiefly ſticks with me, and what muſt ſtick with every Man, who hath any Regard for his Country, what is the fulleſt Juſtification of my Writings, and the ſtrongeſt Condemnation of my Adverſaries, does not proceed alone from our *different Opinions*, concerning *particular Tranſactions*, but from the *general Principles*, which have been maintained on *one Side*, and on the *other*. What monſtrous Propoſitions have the *Writers againſt us* been led to aſſert, in the Courſe of this Debate? — Though They have been often touch'd upon before, it may be of Uſe to collect them together, as they lye ſcatter'd up and down in their Works, that our Readers may be the better able to judge whether *theſe Men* can be properly ſaid, in any Senſe, to be *Friends of Liberty*, or the *Britiſh Conſtitution*.

1. * The Proceedings of the *Star Chamber* and the cruel Puniſhments inflicted upon *Writers*, in the moſt arbitrary Reigns, ought to be made Precedents in the ſame Caſes, at preſent; though my Lord *Clarendon* very juſtly obſerves that the Exorbitances of *this Court* raiſed

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* *The Doctrine of Libels diſcuſſed*, &c.

raiſed a general Uneaſineſs in the Nation, amongſt all Degrees of People, and at laſt occaſion'd the Abolition of it by Parliament, in a very extraordinary Manner.

2. The * *corrupt Dependency of the Parliament on the Crown* is neceſſary to preſerve the *Ballance of our Conſtitution.* We ſay the *corrupt Dependency*; becauſe having allow'd and even contended for *that Dependency*, which the Conſtitution forms, of *one Part* of the Legiſlature on the *others*, theſe Men, who continue to write againſt us, muſt either write for a *corrupt Dependency*, or for nothing.

3. The *Independency of* † *Country Gentlemen* (who are very decently ſtiled *Fox-hunters*) ought to diſqualify them from being choſen *Repreſentatives of their Country*; for as *Corruption* is neceſſary to ſupport the *Conſtitution*, thoſe Perſons ought to be kept out of Parliament, whoſe *Independency* may place them above *Corruption*.

4. The ‡ People of *England* are no longer fit to be truſted with *Liberty*; for though *ſtanding Armies* have generally been the Deſtruction of *free Governments*, yet the *Britiſh* Conſtitution being in a *declining Way*, and even near its Diſſolution, a *ſtanding Army* is neceſſary to protract its Date a little longer, in Oppoſition to the *Levity and Corruption of the People*.

5. As a *ſtanding Army in Britain* is neceſſary to preſerve the Conſtitution of *Britain*; ſo it is reaſonable and expedient to maintain a ‡‡ *ſtanding Army abroad*, in order to protect his Majeſty's *foreign Dominions*; and becauſe the *Parliament* are not reſtrain'd from pro-

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* *The* Cambridge *Letter publiſh'd in the* Courant, *on Saturday May* 8.

† *A Letter to* Caleb D'Anvers, *Eſq; on his* proper Reply, *&c. p.* 48.

‡ *Some Obſervations on the preſent State of Affairs, &c.*

‡‡ *The London Journal, May* 15.

viding for *theſe Troops*, what They were once induced to do, upon a particular Occaſion, ought to be a Precedent in all ſucceeding Times.

We could mention ſeveral more Poſitions of the ſame Tendency; but Theſe are ſufficient to our Purpoſe, and We chuſe to mark them out particularly to the Reſentment of the Publick, becauſe they are ſyſtematical, and depend upon each other in a regular Concatenation.

Now let us ſuppoſe, for a Moment, that *theſe Doctrines* ſhould be generally received by the Nation; what muſt be the Conſequence? Would not our *Conſtitution* be at once overthrown? Would not the great Work of the *Revolution* be at once undone? Was not the Reſtoration of *free Parliaments*, againſt *Cloſeting* and *all other indirect Influence*, one of the moſt prevailing Motives to that glorious Undertaking? Was not the Apprehenſion of a *military Government* one of the principal Reaſons for depoſing King *James*; and hath it not been inſinuated, that if He had been leſs ſparing of his Money, (That is, in other Words, if he had procured a *corrupt Dependency of the Parliament on the Crown*) his arbitrary Power would have been eſtabliſh'd, and conſequently our Religion and Liberties muſt have been ſubverted?

To compleat and ſecure the Succeſs of this *noble Syſtem*, They have not been aſhamed to borrow from the *antient Doctors of Slavery*; nay, even from that *modern Doctor* of it, whom They accuſed of *caſting black and odious Colours on the Revolution*. What elſe can be the Meaning of their inſiſting ſo much, of late, on the long exploded Doctrine of * *hereditary Right*, and waving, as it were, that much more glorious and ſtable Title, the Eſtabliſhment of this Family on the Throne by the *Authority of the People in Parliament*, who nominated Them particularly to ſucceed, as They had before excluded *Papiſts?* — Here are pretended *Whigs* arguing for *arbitrary Power, paſſive Obedience* and *hereditary Right*; Men, who call Themſelves *Writers for the Government*, undermining the Foundations, on which it is built; for We ſhall leave the World to judge whether *Liberty* would not be as effectually deſtroy'd by the Eſtabliſhment of *theſe Doctrines*, as it would have been by the Exerciſe of the *Prerogative* in the largeſt Extent and the higheſt Degree, that was ever claimed, or pleaded for, in any former Reign.

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* *The Daily Courant, June* 24.

To reſume therefore what was ſaid above—If the Diſpute turn'd only on *my Opinions*, and the Opinions of *theſe Writers*, concerning ſome *particular Tranſactions*, (though even in theſe Opinions I am confirm'd by the concurrent Senſe of Mankind) a Diſpute, thus confined, however the *Craftſman* had written, or whatever the *Craftſman* might have ſaid, would never have raiſed the publick Clamour, ſo unjuſtly complain'd of, nor the private Uneaſineſſes, ſo imprudently neglected. That, which gives Life and Strength to both, is the *abominable Syſtem*, which I have juſt now epitomized. Mankind behold with Horror the Propagation of *ſuch Principles of Government*, as are calculated not only to ſcreen the Weakneſs and ſanctify the Guilt of any *preſent Miniſter*, but tend neceſſarily to deſtroy the *Freedom of our Government*, and open a Way to the Exerciſe of the *moſt lawleſs and uncontroulable Power*.

This Scheme tends, like all Schemes of the ſame Nature, to reduce us to *Beggary*, as well as *Slavery*; for if We lye under a *Neceſſity*, as the Writer of the *London Journal* aſſerts, *of paying Armies and Subſidies abroad*, for the Support of *foreign Dominions*, We may find ourſelves, at one Time or other, even in a worſe Condition than That of a *Province*; ſince though a *Province* is obliged to follow the Intereſts and Policy of the *Miſtreſs-Country*, ſhe is likewiſe intitled to her Protection; whereas if We are obliged, at all Times, to ſupport *foreign Dominions*, whoſe Intereſts are not immediately and neceſſarily united with ours, and whoſe Policy cannot be ſuppoſed to be directed by ours, We ſhould really act the Part of a *Province* to thoſe Countries, and it would be ludicrous to ſuppoſe that They could give us any Protection in Return.

What is the natural Concluſion of all This?——Can *theſe Writers* charge me with unjuſt Imputations? Do I put any violent Conſtructions on their Words? Have I had Recourſe to remote Innuendoes? No. Theſe are the *Principles*, which They propagate and endeavour to eſtabliſh, at the Expence of the *Britiſh* Conſtitution and Intereſt. They ſeem fully prepared to give up the Liberties of their Country, in order to preſerve their *Patron* from the Hazard of being, one Day, puniſh'd by the Laws of their Country.

Theſe are the *Men*, and theſe are the *Doctrines* I have oppoſed. It is a Cauſe, which I have carried on, I hope, with ſome Succeſs; I am ſure with much Approbation. It is a Cauſe, which I will continue to purſue, at any Hazard, as long as my poor Endeavours may be of any Uſe. It is a Cauſe, in which, if I was to be oppreſs'd, and if Thoſe, who are ſaid to aſſiſt and ſupport me, were to fall the Victims of inſolent Power, would never want an Aſſertor, as long as there remain'd in the Hearts of *Britons* the leaſt Spark of publick Spirit, the leaſt Degree of Zeal for the Laws and Liberties of their Country. I am ſo fully convinced of the Juſtice of this Cauſe, that if my Doctrines and the Doctrines of my Adverſaries ſhould be brought to the Teſt of all the *grand Juries* in *England*, where Gentlemen of *Fortune*, *Birth* and *Diſtinction* attended, I ſhould make no Doubt whoſe Writings would be preſented as *falſe*, *ſeditious* and *ſcandalous Libels*. If nothing of this Kind hath been, or ſhould be done, I am ſure it does not proceed from any Want of a *due Senſe of that preſumptuous and unprecedented Licence, which hath been aſſumed by ſome* State Incendiaries, *for a few Years paſt*, of writing againſt the *Conſtitution*, under the Pretence of writing for the *Government*; but from a juſt and tender Regard for the ſacred Liberties of *Britain*, and particularly the *Liberty of the Preſs*. They look on the Publication of *theſe Doctrines* as the bad Effects of a a good Cauſe, and abhor the Thoughts of cutting up *Liberty* by the Roots, becauſe ſhe ſometimes produces ſuch miſchievous and, I may even ſay, unnatural Excreſcencies.

Having thus given the Publick a ſhort View of the *general Principles*, advanced in Oppoſition to us, We ſhall take another Opportunity of explaining the Manner, in which they have been apply'd to the State of Affairs, for ſome Years paſt. *O. D.*

N° 265. SATURDAY, *July* 31, 1731.

I Preſume the Publick is fully convinced' by ſome *late Proceedings*, that the *Treaty of Peace* between *Rupert Lyn* Eſq; and *Myſelf*, of which I publiſh'd an Account in one of my former Papers, is intirely broken off. It cannot be expected that I ſhould act ſo mean a Part as to continue any Negotiations with a *Man*, who hath renounced all Pretences to *good Faith*, and ſeems to enter into Engagements with no other Deſign than to violate them. Having been born in a *County*, which is long ſince grown proverbial for Litigiouſneſs, and paſs'd ſome Part of his Life in *one of our Inns of Court*, where He apply'd Himſelf wholly to the Chicanery of his Profeſſion, He hath made it his Endeavour, through the whole Courſe of his Life, to impoſe Tricks upon the World for ſound Policy, and little Quirks of the Law for ſolid Argument.

When He lately made an Overture to Me, and deſired to enter into a Negotiation, for accommodating the Differences, which have ſo long ſubſiſted between the Societies of *Gray*'s-*Inn* and *Lincoln*'s-*Inn*, I propoſed to put the Diſpute upon the faireſt Iſſue, and to ſave the Expence of any more Lawſuits, by referring the Deciſion of it to the *Preſs*. Mr. *Lyn* very readily embraced this Propoſal, in order to ſerve a preſent Turn, and even engaged to guaranty the *Liberty of the Preſs*, that neither Party might take any diſingenuous Advantage of the other, by applying to *Force*, when *Argument* ſhould be wanting. A *Treaty* was accordingly drawn up to this Purpoſe, and ſign'd at *Covent-Garden*, by their Excellencies Meſſ. *James Roberts* and *John Peele*, on the Part of Mr. *Lyn*, and by Mr. *Richard Francklin*, on my Part. The Cauſe was thus once more removed out of *Weſtminſter-Hall* to the Bar of the Nation, and all the good People of *England* were impanel'd upon the Jury.

I need not inform the World that *this Treaty* was of very ſhort Duration, and that Mr. *Lyn* immediately began to prevaricate Himſelf out of his Engagements, as ſoon as the little Purpoſe, for which He took them, was ſerved. At firſt, indeed, He put on an Appearance of being in Earneſt, by ſoftening his Language towards *Me*, and taking a Multitude of *auxiliary Advocates* into his Pay; but finding, upon the very firſt Trial, that the *Merits of the Cauſe* would not bear any Examination on his Side, He endeavour'd to pervert the Meaning of the *Treaty*, and to evade the *main Point in Diſpute*, by a ſudden Tranſition to the *Characters* of Thoſe, who were ſuppoſed to be ſecretly concerned in it. In Hopes that this Artifice might ſucceed, a Pamphlet was publiſh'd and ſpread through the Kingdom, by Mr. *Lyn*'s Authority, full of nothing but perſonal Adulation to *Himſelf*, and perſonal Slander upon his *Antagoniſts*, who were defy'd, with the utmoſt Inſolence, to defend Themſelves.

This Stratagem likewiſe miſcarried, and ſerved only to diſcover Mr. *Lyn*'s Want of Judgment, in working up a Controverſy, which He muſt know, if He had given Himſelf Time to reflect but a Moment, would certainly end in his Confuſion. The Defyance was accepted, and *Anſwers* were publiſh'd in a quite different Spirit from That of the *Libel*, which occaſion'd them. The Falſhoods contained in it were detected; the Miſrepreſentations were clear'd up; the ſecret Hiſtory, ſo injudiciouſly open'd, was explained; and ſuch a Recrimination of ſtrong undeniable Facts was fix'd upon Mr. *Lyn*, as will deliver down his Name with Infamy to all ſucceding Generations.

In this Diſtreſs, He diſown'd his *Libel*, and order'd one of his *Hirelings* to take it upon Himſelf, under a ſolemn Aſſeveration, in the Face of the World, that He wrote it *without the Inſtruction, Direction, Privity, or Conſent of Mr.* Lyn, *or any Perſon concern'd with Him*; though it is notoriouſly in the Power of moſt *Coffeemen* in Town, and of every little *Poſt-maſter* and *Exciſeman* in the Country to explain the Manner, in which it hath been propagated; and the World muſt determine how far it deſerves Belief that a Pamphlet, which hath been ſent *gratis* and diſperſed by Thouſands in all Parts of the Kingdom, was written *without the Direction, or Conſent of* HIM, by whoſe Authority it was propagated in this Manner,

However, being plung'd thus deep in *perſonal Altercations*, He found it neceſſary to go on, and order'd the *Libel*, which He had diſown'd, to be ſtrenuouſly defended. The whole Province of *Grubſtreet* was taken into double Pay, upon this important Occaſion, and no Encouragement was wanting to inſpire them with Ardour ſuitable to it. Each illuſtrious Member had his reſpective Poſt aſſign'd Him. Some had Inſtructions to enlarge on the glorious Topicks of Mr. *Lyn*'s *great Lenity, Generoſity, Moderation* and Regard to *Decency*. Others were commanded to annoy the

Enemy with Stink-pots, and ſilence them with a conſtant Repetition of Billinſgate Appellations; ſuch as *Rogue*, *Raſcal*, *Villain*, *Incendiary*, *Conſpirator*, and *Traytor*.

This Method of Reaſoning produced, in ſome Meaſure, the Effect propoſed; for it would be impoſſible, if it were really needful, to anſwer ſuch continued Vollies of Scurrility, unleſs We had a *ſtanding Army of Writers*, and a *T——y* to pay them, as well as Mr. *Lyn*.

I have often thought that the Publick ought to ſee an Account of the annual Expence, which the Vindication of his *perſonal Character* occaſions; and I lately gave my Bookſeller Orders to draw up an Eſtimate of this Kind, under the following Heads, *viz.*

	l.	*s.*	*d.*
To 5,000 of the *Obſervations on the Writings of the* Craftſman;			
Item, to the ſame Number of the *Sequel to the Obſervations*;			
Item, to 3000 of a Pamphlet, intitled, *A Defence of the Meaſures of the Adminiſtration*;			
Item, to the ſame Number of another, call'd *Some Obſervations on the preſent State of Affairs*;			
Item, to 7,500 of a Pamphlet, intitled, *Sedition aud Defamation diſplay'd*, &c.			
Item, to 10,000 of the *Remarks on the* Craftſman'*s Vindication of his two honourable Patrons*;			
Item, to 1400 *London Journals* ſent every Week by the *Poſt Office*;			
Item, to the ſame Number of *Free-Britons*;			
Item, to the ſame Number of *Courants*, every Day in the Week;			

	l.	*s.*	*d.*
Item, to the whole Charge of printing and publiſhing the *Britiſh Journal*, Read's *Journal*, the *Weekly Regiſter*, the *Flying Poſt*, and the *Hyp Doctor*.			
Item, to the Charge of printing about one hundred and fifty Replies to the *final Anſwer*, and the *Defence of Mr.* P.			

When I had got an Account of theſe Particulars, I deſign'd to have added to it an Eſtimate of the yearly Value of *Places*, *Penſions*, and other *occaſional Gratuities* beſtowed upon the ingenious Authors of theſe Writings; but as my Bookſeller hath been particularly engaged, for ſome Time paſt, about *other Buſineſs*, my Readers will have the Goodneſs to excuſe Him at preſent. I may however venture to aſſure them that this Head of Expence only does not amount to leſs, even at a moderate Computation, than *twenty thouſand Pounds per Annum*, without including any Thing for *Proſecutions*, *Evidence*, and *ſome other Articles of ſecret Service*, which ſhall be nameleſs.—But to return;

Notwithſtanding the Multitude of Advocates, whom Mr. *Lyn* retain'd in his Cauſe and employed to throw Dirt at his *Adverſaries*, They were ſo far from doing Him any Service, that He found Himſelf grown more and more odious every Day. The Publick, who felt his Oppreſſions and reſented his Inſolence, would not ſuffer Themſelves to be diverted from their Attention to his male Practices by *perſonal Altercations*, or an unprofitable Retroſpect to *former Times*. They kept their Eyes ſteadily fix'd on *preſent Tranſactions*, and thought it no Apology for his bad Conduct, if a thouſand Inſtances could be produced of *other Perſons*, who have been guilty of the ſame bad Conduct before. They regarded *Things*, not *Perſons*.

Tranſported with *Rage*, and abandon'd to *Deſpair*, under all theſe Defeats, Mr. *Lyn* recurr'd once more to his uſual Weapons, to the *ſecular Arm* and to *Violence*, under the Colour of *Law*, in direct Violation of the *Treaty* between us, by which He had ſtipulated to *guaranty the Liberty of writing*. He ſent his Officers, like *Spaniſh Guarda Coſta's*, with Orders to moleſt *our Agents* in the lawful Exerciſe of their Trade; to ſeize their Effects; to make their Perſons Priſoners; and endeavour to extort Diſcoveries from them, by putting them in Mind of poor Captain *Jenkins*, and threatening them with the *Loſs of their Ears*. He likewiſe took ſeveral other *extraordinary Steps*, in the Madneſs of *Diſappointment* and *Revenge*, which have ſunk his Character into the utmoſt Contempt, and can tend only to precipitate his Ruin. Theſe *violent Proceedings* and *Acts of Power*, in the Midſt of ſuch *licentious Scurrility on his Side*, have fully opened the Eyes of the People and diſcovered the Meanneſs of his Spirit. He now ſtands in the ſame Light to the World with a *common Bully*, who challenges, defies and provokes another with bad Language, on Purpoſe to ſwear the *Peace* againſt Him, if He ſtrikes, and ſeek his Revenge in the *Crown-Office*.

But all his Attempts againſt the *Liberty of the Preſs*, have hitherto proved ineffectual and will, I doubt not, continue to prove ineffectual, as long as the Bench is adorned with *Judges* of the ſame great Ability and Integrity; as long as the Rights of an *Engliſh Jury* are preſerved; and as long as the *Laws* are allow'd to take their free Courſe. He finds to his Sorrow, that the *Law* is againſt Him, as well as *Reaſon*, notwithſtanding all his notable Endeavours to pervert *both*. He knows the *Senſe of the People* by the *Voice of the People*, and hath the Mortification to obſerve that the *Rabble of Advocates*, whom He hath employ'd, have not been able to produce the leaſt Alteration in his Favour. He ſees, on the contrary, that the Clamour againſt Him increaſes by every Step, which He takes to ſuppreſs it, and that nothing will ſcreen Him from *publick Reſentment* but *publick Retribution.*

What a melancholy Scene muſt This be to a Man of *ſuch a Spirit,* and in *ſuch Circumſtances?* — It muſt certainly give Him the utmoſt Uneaſineſs in his ſedate, conſidering Hours, if He hath any ſuch, and put Him out of Humour with his *own Greatneſs* —— He muſt be convinced of the Vanity of *human Power* and *Wealth,* which are not able to guard Him againſt *popular Odium,* even in the Zenith of his *Proſperity.* — What will be his Condition in the Day of *Trial* and *Adverſity,* I ſhall leave to the Determination of his own Breaſt.

But whatever Senſations theſe Reflections may raiſe in his Mind, or however Fate may diſpoſe of Him, I hope the World will excuſe me from entering into any farther Negotiations with a *Man,* who hath had Recourſe to ſuch *wretched Artifices,* and diſcovered a manifeſt Intention to ſacrifice the *Liberties of his Country* to his own *perſonal Security.* *D.*

N° 266. SATURDAY, *Auguſt* 7, 1731.

To CALEB D'ANVERS, *Eſq;*

Mr. D'Anvers, *Oxford, July* 29, 1731.

THE new Edition of your Works, in compleat Volumes, is come down amongſt us, and hath ſuſpended, in ſome Meaſure, our other academical Studies. Though We have given but little Attention here to the perſonal Part of the Diſpute between *You* and your *Adverſaries,* but have apply'd ourſelves chiefly to the Merits of the Cauſe; yet We could not forbear making ſome Reflections on the extraordinary Reſentment, which hath lately diſcover'd itſelf againſt you, as well as the extraordinary Methods, which have been taken to vent it. We are ſenſible that the very Deſign of your Paper muſt give Umbrage to *Thoſe*, who are engaged in bad Meaſures, and whoſe only Security depends on the Eſtabliſhment of ſuch Principles as you have endeavour'd to explode. The Effects of this Umbrage have broke out at ſeveral Times in the uſual Manner, and given you no ſmall Diſturbance in the Proſecution of your Undertaking; but there muſt be ſome particular Reaſon for that uncommon Violence and Impetuoſity of Rage, which have been lately obſerved in the Writings and Proceedings of your *Adverſaries*. Various have been the Conjectures upon this Occaſion, according to every Man's particular Judgment in theſe Affairs. Some Perſons impute it to thoſe frequent and memorable Defeats, which your *Adverſaries* have met with in their Attempts to cruſh you. Others are inclined to look forward and aſcribe the late Proceedings of your *Adverſaries* againſt you to a Dread of your future Writings, and a Conſciouſneſs that their Meaſures will ſoon give you an Opportunity of galling them ſtill farther in a very tender Part. I confeſs, it ſeems far from being improbable that theſe Motives might have ſome Influence on the Paſſions of *Men*, who know their Actions will not bear any Examination; but there is another Reaſon to be aſſign'd, though hitherto unmention'd, for their late unmanly Outrage; I mean the *Publication of your Papers in Volumes*. Your weekly Diſſertations, in Favour of *Liberty* and the *Britiſh Conſtitution*, have given great Uneaſineſs, no Doubt, to *Thoſe*, whoſe mercenary Views and ill-conducted Schemes have render'd Them Enemies to *both*; but ſuch periodical Writings produce only a momentary Effect, and are ſoon forgotten, however ſteadily purſued. Few Perſons are curious enough to preſerve Collections of them. They are read, perhaps, with Admiration for a Day or two, and then are generally thrown by, like othe Entertainments of the ſame Nature; but when the are collected together in Volumes, and form a regula Critique upon Affairs of Government, in a Courſe o Papers, continued for ſeveral ſucceſſive Years, upon the ſame Principles of Reaſoning, and all tending to the ſame End, they become permanent and will deſcend to Poſterity. They get into the Libraries of the Learned, both at home and abroad; by which Means, they are above the Reach of the moſt abſolute Power, and no human Law can be made ſtrong enough to ſuppreſs them. If the *Liberty of the Preſs* ſhould be deſtroy'd to Morrow; or if you ſhould die, or be obliged by Violence to diſcontinue your Writings; *thoſe Papers* would ſurvive, as long as the *Engliſh* Language, and convey the Character of the Times, in which they were written, to the lateſt Generations. They will furniſh ample Materials to the Hiſtory of the *preſent Age*, and prove an excellent Warning to *future Miniſters*. Indeed, I cannot help looking upon the Collection of *Cato*'s *Letters*, and the Writings of the *Craftſman*, as a compleat Hiſtory of the Tranſactions of *eleven Years paſt*. I believe, I may venture to affirm that no Point of any Conſequence, with Relation either to *foreign* or *domeſtick Affairs*, is left unexamin'd in them; and however a *certain Gentleman* may flatter Himſelf, or impoſe upon others, in the Plenitude of Power, and the Affluence of Wealth, the next Generation will view his Picture with Abhorrence, and make uſe of his Name againſt *future bad Men in Power*, in the ſame Manner that We compare *Him*, at preſent, to *Sejanus*, *Wolſey* and *Buckingham*.

For this Reaſon, I am fully perſuaded that the late violent Storm of *Billingſgate* and *Power*, which your Adverſaries have raiſed againſt you, was occaſion'd chiefly by the Edition of your Works in Volumes, which They eſteem, and indeed not very unjuſtly, to be a perpetual Monument of Infamy erected to the Memory of their *Patron*. The worſt Man in the World cannot ſhake off all Regard for a good Name, however he may be induced to ſacrifice it, upon particular Occaſions, to the prevailing Importunities of Intereſt and Ambition. He flatters Himſelf with Hopes that He ſhall be able to gratify thoſe Appetites, without intirely forfeiting his Reputation; or that Time will obliterate the Memory of his ill Deeds, when his Family is eſtabliſh'd. What therefore can poſſibly be a greater Mortification to ſuch a Man than to ſee Himſelf narrowly watch'd, and all his Actions ſtript of thoſe falſe Colours, with which He endeavours to conceal his Deſigns? What can give Him more Uneaſineſs than to behold all his Blunders and Iniquities recorded in the moſt durable Characters; or to reflect that He will be deliver'd down to Poſterity as a Man, who aggrandiz'd Himſelf by the Calamities of his Country, and endeavour'd to juſtify his own Conduct by impugning the fundamental Principles of the *Britiſh* Conſtitution?

This is the Character, which he bears in your Writings, and in which He will be tranſmitted to future Ages, when diveſted of the preſent Support of Power, the Glare of Wealth, and the Pageantry of falſe Praiſe. The wretched Apologies for his Conduct will ſink in Oblivion, or be remember'd only with Deteſtation, whilſt the honeſt Zeal of Thoſe, who boldly aſſerted the Cauſe of Liberty, in Oppoſition to his Meaſures, will excite the Admiration and Applauſes of Poſterity.

There is no Part of your Works, which hath given a more general Satisfaction, or ſets the Conduct of your *Adverſaries* and the true Intereſt of our Country in a ſtronger Point of Oppoſition, than Mr. *Oldcaſtle*'s Remarks on the *Engliſh Hiſtory*. I was ſo particularly pleaſed with thoſe maſterly Pieces, which far exceed any Thing on the ſame Subject, that I have taken the Liberty to addreſs a few Verſes to the Author of them, and if you ſhould think them worthy of a Place in your Paper, you will do a very great Honour to

SIR,

Your conſtant Reader,
And humble Servant,

A. ACADEMICUS.

To Mr. OLDCASTLE, *on his excellent Writings in Defence of* Liberty.

WHoe'er Thou art, that in a borrow'd Name
Aſſert'ſt thy Country's Rights, thy Country's Fame;
The Cauſe of Virtue, Liberty and Truth,
Whether made wiſe by Age, or warm'd with Youth,
Accept this Tribute from a Bard unknown,
Whoſe Breaſt exults with Freedom, like thy own.

Long have We mourn'd a looſe, degenerate Age,
Our antient Spirit ſunk in factious Rage,
In vain Diſtinctions, big with deadly Hate,
In Broils and Strife, deſtructive of the State;
With Forms amus'd, by artful Sounds betray'd,
The ductile Crowd their Leader's Voice obey'd,
Cool in the publick Cauſe, for Parties hot,
The Names retain'd, the Principles forgot,
Became the Scaffolds of aſpiring Knaves,
By Nature Freemen, by their Folly Slaves.

Through every Rank the ſtrong Infection ran,
And Bribes confirm'd what Prejudice began,
S———*s*, ever ſtudious of the publick Weal,
Beheld with Grief his diſappointed Zeal,
Loſt in the Air was *W*———*m*'s nervous Strain,
And *P*———*y* charm'd the liſtening Crowd in vain.

The Voice of Reaſon proſperous Guilt defy'd,
And Numbers all the Force of Truth ſupply'd,
The courtly Faction triumph'd, not unmov'd,
Their Tongues condemning what their Hearts approv'd.

The *Preſs* alone remain'd, (cœleſtial Art!)
To root this growing Canker from the Heart;
The *Preſs* itſelf, that Bulwark of our Laws,
Was bribed to plead the *great Corrupter's* Cauſe;
A ſhameleſs Crew, a worthleſs, witleſs Race,
Of *Britain*, Arts and Learning the Diſgrace,
For ſordid Motives in the Liſts appear,
Nor awed by Conſcience, nor reſtrain'd by Fear,
Revive the Maxims of deſpotick Reigns,
And whilſt They boaſt of Freedom, write for Chains.

Smit with theſe paſſive Doctrines They advance;
Now fired with Penſions in the Cauſe of *France*,
They bleſs the myſtic, Heav'n-commiſſion'd Tide,
Which open'd *Dunkirk* on *Britannia's* Side;
Her bold Incroachments on our Trade defend,
And varniſh Breach of Treaties——in a Friend.
The Flag, the Trident, which in former Reigns
Have drawn forth Armies on th'embattled Plains,
Shrink at their Touch, unworthy of our Claim,
And *Europe's* Ballance grows an empty Name.

Now leagued with *Spain*, and big with her Deſigns,
Gibraltar dwindles in their miſcreant Lines,
Our plunder'd Merchants feel their *Gothick* Rage,
And *Carlos* is the Minion of the Age.

Purged in their Sheets, *Corruption* skulks no more,
But ſtalks abroad and mocks the virtuous Poor.
Blind Faith in Courts, Dependence on the Great
Turn publick Virtues and ſupport the State;

Submiſſion is the *Briton*'s only Right,
And Armies grow an inoffenſive Sight.

In ſuch bad Times aroſe our learned Sage,
To re-inſpire a dull, lethargick Age,
To rouze that Spirit in the Nation's Cauſe,
Which oft hath reſcu'd her endanger'd Laws.
Britannia ſmiling on the Work attends,
And Knowledge guides the Pen, which Freedom lends;
Through every Page his piercing Judgment ſhines,
And *Europe* opens all her dark Deſigns;
From Reign to Reign, as he conducts the Clue,
Ages far back ſtand preſent to the View;
Here with freſh Laurels *Edward* ſeems to riſe,
On *Richard* there We fix our ſcornful Eyes;
Now trace the Cauſes, wrapt in Shades before,
Which gave *Eliza* more than ſovereign Power;
Indignant now her Succeſſor behold,
Affecting Craft, in Pedantry grown old,
Raſh without Courage, without Glory vain,
He waſtes in Peace a long, inactive Reign,
Sows the rank, fruitful Seeds of civil Rage,
And ripens Factions for another Age.

Inſtructed here, We catch the glorious Flame,
Which form'd our Laws and rais'd the *Britiſh* Name;
Fired, as He reads, with more exalted Schemes,
The Bigot wakens from his Party-Dreams;
Stateſmen correct their Blunders, not in vain,
And Monarchs without bluſhing learn to reign.

O! Thou, *Britannia*'s ſecond Hope attend,
Thy youthful Hours to theſe Inſtructions lend,
With ſtrong, hiſtoric, Knowledge ſtore thy Mind,
Caſt all inferior Studies far behind,
Mark'd in theſe Sheets, the Paths of Glory trace,
And prove from great *Plantagenet* thy Race.

If doom'd to War, the Trumpet ſounds Alarms,
And clads *Britannia*'s Sons once more in Arms,
In all the Spirit of a Prince ariſe,
Place the great *Edward*'s Son before your Eyes,
Who, at the tender Age of ſixteen Years,
A Warrior, Hero, Conqueror appears,
Brought home a Monarch captive in his Chains,
And half eclips'd his Father's great Campaigns.

Or, if the puzzling Brigues of *Europe* ceaſe,
And Heav'n ſhould bleſs this injur'd Land with Peace,
Be thy great Care to raiſe and to redreſs
Merit obſcured, and Virtue in Diſtreſs;
Of our inſulted Trade eſpouſe the Cauſe,
Encourage Truth, protect our antient Laws,
Let Learning flouriſh, bid the Muſes ſmile,
And baniſh Parties from this factious Iſle;
Of Flattery ſhun the meretricious Arts,
And fix your Empire in a People's Hearts,
The Cauſe of *Britain*, now thy Country, own,
And guard that Freedom, which beſtow'd the Crown.

Pardon, young Prince, theſe well-intended Lays,
Which Liberty inſpires and Duty pays;
From native Zeal they flow, devoid of Art,
The honeſt Dictates of a free-born Heart,
Which burns unalter'd with a mingled Flame
For *Britiſh* Glory and the *Brunſwick* Name. *A.*

To

Nº 267. SATURDAY, *Auguſt* 14, 1731.

To CALEB D'ANVERS, *Eſq*;

SIR,

THO' I agree with you in what I pe
ceive to be the Opinion of moſt c
your Readers, that your Diſcourſe
ought chiefly to turn on the Meri
of *Facts*, not of *Names*, and therefor
that all perſonal Enquiries ſhould b
avoided; yet I cannot help thinking that there ar
ſome Caſes, where it may not only be very juſtifiabl
to examine into the *private Characters* of Men, bu
even neceſſary to apprize the Publick of them. Th
People have undoubtedly as juſt a Right to enquir
into and be inform'd of the private Virtues and Vi
ces of the Perſon, who is intruſted with the Care o
their *Liberty* and *Property*, as any Gentleman can hav
to demand a Character of the *Steward*, who is to ma
nage his Eſtate. We know by Hiſtory, we feel b
daily Experience, how much *private Paſſions* influenc
publick Actions. If a Man is covetous, cruel, timo
rous, diſſolute, immoral, inſincere and unjuſt in *pri*
vate Life; it may, without Breach of Charity, be pre
ſumed that ſome of theſe Vices will ſtick to his *public*
Character. We cannot imagine the Change of hi
Condition will change his Manners. On the contrary
Power and *Wealth* frequently furniſh Men with Mean
to indulge their Paſſions; and if a bad Heart com
monly prevails over a ſound Head, what will it no
do over an unſound one? As the Power of doin
Miſchief increaſes, the Inclination to do it is not likel
to abate, and the Opportunity of doing evil will no
mak

make evil Men better. He, who is by Nature of a preſumptuous and revengeful Temper, will be inraged at all Oppoſition to his Meaſures; will endeavour to overbear and purſue with the utmoſt Efforts of Malice and arbitrary Power Thoſe, who dare to think and act honeſtly in Contradiction to Him.

If a Man ſhould, upon his firſt Entrance into Buſineſs, ſwallow greedily a *Bribe* from a *poor Forage Contractor*, can we imagine he will neglect any Opportunity, when he riſes higher, of making *corrupt* and *rich Bargains for Himſelf*, and dealing for Millions with *Money Companies?*

The Man, who has ſo little Poſſeſſion of himſelf as to tremble and be frightened out of his Underſtanding at the Receipt of a *Penny-poſt Letter*, in his private Capacity, may be weak enough, from his natural Fears, to alarm a Nation in his *publick Character* with groundleſs Apprehenſions and Fears of *Plots* and *Invaſions*, without any ſolid Foundation, and contrary to all Reaſon and common Senſe.

A Coward in private Life may be a Bully in publick. He may ſuffer a brave People to be injur'd and inſulted, by daring to provoke, and not daring to reſent the Affronts he receives.

The Spendthrift of his *private Fortune* will probably be profuſe of the *publick Treaſure*; and the *corrupt Man* will, from the Information of his own bad Heart, imagine *Corruption* to be the only Expedient of Government.

He, who is falſe and inſincere in private Life, will have little Regard to *national Faith*, and he will certainly break through the moſt ſolemn Engagements, as often as his particular Intereſt ſhall require it. In ſhort, He, who in private Life hath no Regard to Truth, Honour, Decency, or any virtuous and gentlemanlike Qualification, will in his publick Character act in Contradiction to all theſe Virtues and, as the Meaſure of his Guilt increaſes and fills up, he will grow deſperate, and riſque every Thing to ſecure Himſelf.

From theſe Enquiries therefore into the private Manners of Thoſe, who may hereafter preſide over the Publick, we may learn in Time to oppoſe and give Check to their Meaſures; to mark them out and keep a watchful Eye over all their Proceedings; and as Allowances are always to be made to the Errors of thoſe Miniſters, who act upon honeſt Principles and with good Intentions, the conſtant Tenor of whoſe Actions in private Life hath always been virtuous and uniform ſo none ought to be made to Thoſe of a contrary Character. They ought not to have the common Plea of Accidents, or Viciſſitude of Affairs.

The trifling Advocates of a weak Adminiſtration whenever you mention pernicious Meaſures, always call upon you for the Proof of them. *You are not*, ſay They, *to accuſe in general Terms; give us ſpecial Inſtances, and prove them too.* How are they to be proved, but as you have proved them? Do they expect you ſhould exhibit *formal Articles of Impeachment* in a Journal? But ſuppoſe you ſhould; ſuppoſe you have produced *Evidence*, ſuch undeniable Evidence of *Male-Adminiſtration* as muſt have already ſatisfied all Men but Thoſe, who are reſolved not to be ſatisfied; will That be allow'd? No. What Proof would They have then of the Crimes laid to his Charge? his *own Confeſſion*; the *Confeſſion of his Guilt*. This is indeed the only Proof They have ever offer'd of his Virtues.

Is there any Proof wanting of the many unjuſt and inhuman Barbarities committed by the *Spaniards* on our Merchants in the *Weſt Indies?* Is there any Doubt that the Port and Harbour of *Dunkirk* have been open'd and repair'd, in Violation of Treaties? Have not Works been carried on before *Gibraltar*, to render the Poſſeſſion of that important Fortreſs uſeleſs and precarious? Are we to prove that the People labour under *heavy Taxes?* Are we to make Oath of the declining Condition of our *Trade* and our *Manufactures?* How are our Poor increaſed? Is there no complaining in our Streets? What other Proofs, alas, do the Unhappy want of the Miſeries they ſuffer, than the Pains they feel? Under whoſe Adminiſtration hath all This happen'd? Is This a Doubt? Who is the Man, that hath aſſumed all *Power* and *Authority*, and *Profit* to himſelf? Who hath affected, and does ſtill affect, in the moſt haughty and invidious Manner, to be *foremoſt*, *ſingle* and *alone*, not only in the *Appearances*, but in the *Realities of Power?* He hath indeed found out a Diſtinction; and, ridiculous as it is, he hath offer'd it as an Excuſe for his Miſmanagements. Is the *C——r* of the *E——r*, ſays He, to anſwer for Omiſſions, or Faults, not in his Office? Is he blameable for the Miſdemeanors of *Others?* Yes ſurely the *C——r* of the *E——r*, when he aſſumes the Power of *firſt Miniſter*, when he will execute every Man's Office, and ſuffer no Share in the Adminiſtration, nor permit any thing to be done but by his Advice and under his immediate Direction, is, and ought to be anſwerable. If he acted only as *C——r* of the *E———r*, he could be accountable for nothing but what related to his Department. But the Caſe is quite otherwiſe. Part of the Preamble to the Articles of Impeachment againſt the late Earl of *Oxford* was that *He, having aſſumed to himſelf the Power of firſt Miniſter*, was chargeable with ſeveral Articles in that Impeachment, in which He could have had no Concern, *if He had not been firſt Miniſter*; and therefore as he took upon himſelf the *whole Adminiſtration*, he was with great Juſtice and Reaſon to be accountable for whatever was done amiſs in any Part of it, ſince he undertook for, and monopolized the whole.

Tony Aſton is a Monopolizer of this Kind; he plays all Characters; he fills none; he is the whole Comedy in his ſingle Perſon; he receives, indeed, the Salary of proper Actors, and This is poor *Tony*'s only View; for his Plea is Neceſſity; he confeſſes his Inability to ſuſtain ſo many Parts, and picks your Pocket of half a Crown with ſome Appearance of Modeſty; but if he ſhould enter with the Air of a *Drawcanſir*, and ſwear that He alone was fit to repreſent every Character, that He alone was fit to receive all the Pay, and that he would never permit any one elſe to tread the Stage, I think he would be hiſs'd by the People. — An Actor ſhould never let himſelf ſufficiently appear; it leſſens his real Merit; but when he aſſumes what he is utterly incapable of performing, He becomes contemptible and ridiculous.

But to return to the Arguments of Thoſe, who intend to defend a *bad Adminiſtration*; You have often (ſay They) brought a general Accuſation of the Crime of Peculation; of embezzling the publick Money; but you have never yet offer'd one Proof. This every one muſt ſee likewiſe is impoſſible to be done by you, ſo as to make what would amount to a legal Conviction; but you have given ſuch circumſtantial Evidence as leaves no manner of Doubt in our Minds of the Truth of the Charge. Proofs have in a proper Place been conſtantly demanded, and conſtantly refuſed; That is, Papers neceſſary to theſe Proofs have been often call'd for, where Gentlemen have a right to call for them, and they have been always refuſed. Now, tho' ſuch a one may be in the right not to furniſh Arms againſt himſelf; let him not boaſt That in his Defence, or alledge That as an Argument of his Innocence, which is a Proof of his Guilt. What ſhould we ſay to a great Offender, who, after he had committed many and notorious Crimes, fled to *Sanctuary*; and, while he laid hold on the Horns of the Altar, cry'd aloud to his Accuſers, *I am not guilty*; *I defy you*; *puniſh me if you can?* The Man may be ſafe; but I am as little ſatisfied with his Innocence as his Modeſty. I ſee he hath avoided publick Puniſhment; but the Refuge he hath taken is ſurely a circumſtantial Proof of his Guilt.

When *Cato*, in the midſt of his little Senate, (a *glorious Minority!*) ſent that memorable Meſſage to *Cæſar*,

> “ Bid him disband his Legions,
> “ And ſtand the Judgment of a ROMAN Senate.

The *great Patriot* did not believe he would quit the Sanctuary of his *Majority*, and ſtand upon the Baſis of his *Virtue*; but he meant to ſhew, in the fulleſt Light, that this very Aſylum he had taken was a Proof of his Crimes.

For theſe Reaſons, *Sir*, you ſee, when they call upon you for other Proofs than what you have already given, hey talk idly and unreaſonably.

But let us go a little farther with theſe *awkard, miniſterial Triflers*, who always ſwear in the Words of heir *Maſter*; let us be ſo complaiſant to their Complaints and their Invectives, as to allow that in Caſe we ſhould ever have a *bad Adminiſtration*, this Manner of writing might raiſe a terrible Oppoſition, and that t muſt be occaſion'd by Envy, Ambition, or Malice. Yet I am of Opinion that, in a free Country, Oppoſiion to a *Miniſter*, or a *Miniſtry*, never did Harm to he Society. It will keep a *good Adminiſtration* on a ontinual Guard. It will cauſe them to walk warily; o diſpoſe the *publick Money* frugally and honeſtly; and ix and direct all their Meaſures and Views to the publick Honour and Profit; and accordingly their Schemes will be only form'd for the Good of the People in general, for whoſe Sake, Welfare and Security, as I conceive, ll Government was firſt founded. But if an Oppoſion ſhould ariſe againſt a *bad Miniſter*, then it would e terrible.——Terrible! To whom? To the Man, who *does Evil*; to the Man, who would overrun all Things, confound Heaven and Earth, attempt or exeute any Thing to defend Himſelf and his *illgotten*

Wealth, to ſecure Himſelf from the Puniſhment due to his *Crimes*.

But ſome might ſay, (and Thoſe too, who may no be his Friends ; who may own he is both *weak* and *wicked)* Who have forced Him to this deſperate Extremity ? Who have made it abſolutely unſafe for him to quit? Who have driven him into Sanctuary ?—— I anſwer, his *Folly*, his *Ambition*, his *Avarice*, hi *Profuſion*, his *obſtinate Perſeverance in a long Courſe o Iniquity*, may have driven him thither, and may kee him there. A *wicked Man*, ſuch a one as we have imagined, may go on from Crime to Crime, and from Erro to Error, 'till He finds it dangerous to deſcend. *Be Johnſon* makes *Cataline* ſay,

"The Crimes, that I have done, cannot be ſafe,
"But by attempting greater. ——

This would, indeed, be a moſt deplorable Statio both for *Him* and the *Publick* ; but it ſurely behove all Men, who wiſh well to the Society, to do what i in their Power, if ever ſuch a *bad Servant to the Publick* ſhould appear, to bring him to Juſtice.

To conclude. There are a Sort of *Hirelings*, wh conſtantly give the Merit in general of every Thing which they pretend to be beneficial to the Publick, t their *Patron*, not allowing any Thing even to th *Crown* ; and yet when you call upon them to name an one particular national Point, any one publick Benefit, the Merit of which can with any Propriety, or Juſtice be aſcribed to *Him*, have they ever ventur'd to mentio one ? Thus, *Sir*, tho' they complain, without the lea Shadow of Truth, that you have never proved any Part of a *certain Perſon's* Adminiſtration to be bad, they very prudently declin'd giving one Inſtanc where it is good. The beſt then, that you ſhould pretend to ſay of it is, that it is a very indifferent one.

R. *I am, SIR*, &c.

SATUR-

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Nº 268. SATURDAY, *Auguſt* 21, 1731.

THE *miniſterial Advocates* have been lately employed in reviving ſeveral Pamphlets and Papers, which were formerly written, or ſuppoſed to be written, in Defence of their *Patron.* In This They have diſcover'd another Inſtance of their Want of Judgment, as well as of Honeſty; for it can never be their Intereſt, or the Intereſt of their *Patron,* to revive the Memory of former Tranſactions. It is certainly their Buſineſs to let them lie dormant and ſink, if poſſible, into Oblivion. But They are a Set of ſuch ſtrange blundering, wrong-headed Fellows, that They are always doing the *great Man* Miſchief, where it is their Duty, and I verily believe their Deſign, to do Him Juſtice.

One of the Pieces, with which They have lately obliged us, was written, as I am informed, by the *Gentleman's* own impartial Hand, in Juſtification of Himſelf againſt the Proceedings of the *Houſe of Commons,* who had handled Him a little too ſeverely, as He thought, for a ſmall Infirmity of human Nature, which He had been guilty of, in a *famous Contract about* FORAGE. The *Apology* itſelf, for it cannot be call'd a *Vindication,* carries evident Marks of Guilt; and the whole Streſs of the Argument, in Favour of the *Perſon condemn'd,* depends intirely on the Veracity of one MAN, who ſubmitted to the Inconveniencies of a *Priſon,* rather than ſtand the Teſt of a *full Examination.* Whatever Purpoſe therefore ſuch *looſe, inconcluſive Stuff* might ſerve, at that Time, I cannot poſſibly gueſs for what End it is publiſhed at preſent, when the Prejudices of *Party* are worn off, and the

Gentleman concern'd appears in ſuch different Circumſtances both of Character and Fortune. I wonder none of our *wicked Incendiaries*, who have been ſo much accus'd of maligning that *great Man*, have not yet taken this notable Performance into Conſideration, and from the glaring Fallacy of it laid hold of an Opportunity, which is thus fairly given them, of explaining *that Tranſaction* at large. I am likewiſe ſomewhat ſurprized that the ſame *judicious Writer*, who republiſh'd *this Piece*, hath not thought fit to vindicate the Conduct of his *Patron*, with Relation to *another ever-memorable Contract*, in the Year 1720, commonly call'd the BANK CONTRACT, which hath never yet been ſo much as attempted, though the *M*———*r* and his *Advocates* have been frequently defy'd to do it; and till it is done, the World will look upon it, at leaſt, as *one very ſtrong Inſtance of iniquitous Conduct*.

They have likewiſe revived a Pamphlet, intitled, *The Art of railing at great Men*; which was publiſhed in the Infancy of the *preſent Adminiſtration*, and is ſaid to have been written by a *Perſon*, who hath ſince been concerned in *theſe Papers*. Upon This They triumph exceedingly, and endeavour to fix Inconſiſtency of Conduct upon the *Author* of it; though it does not, I think, contain the leaſt perſonal Compliment upon their *Patron*; or if it did, the moſt They can make of it is, that He hath alter'd his Opinion of *that Gentleman*, as Multitudes of others have done, and *put his own Rules into Practice*; but *theſe Writers* will never make any Allowances for their *Patron's* Alteration of Conduct, or the Diſcovery of bad Deſigns. They maintain, or They have been writing about nothing, that a Man, who hath ever acted with, or endeavour'd to ſerve a *M*——*r*, from an Opinion that his Views were honeſt, lays Himſelf under an indiſpenſable Obligation of Honour to continue in his Intereſt as long as He lives, though He is fully convinced by the Courſe of Events that his Opinion was ill-founded. This

Point hath been very much laboured; particularly in a late Libel, intitled, *A Letter to Mr. P.* &c. which hath been ſpread *gratis* through the Kingdom, in the uſual Manner, by the *Poſt-Office* and other *miniſterial Conveyances*. However, if theſe *honeſt Gentlemen*, or their *Patron*, have received any Conſolation or Inſtruction from the little Treatiſe before-mentioned, I dare anſwer for the *Author*, that They are heartily welcome to it. I ſhall cloſe this Head with an Obſervation of Biſhop *Hoadley*, in Anſwer to a Charge of the ſame Nature; *that it cannot ſurely be preſumed that Men write* Books *with a Deſign of precluding Themſelves from the Knowledge of the* Truth *ever afterwards.*

Clodius and *Cicero* is another extraordinary Piece, which they have thought fit to revive at this Time, though it is the worſt Satire upon the *preſent Adminiſtration*, that hath ever been publiſhed; for the *Author* acknowledges, without any Reſerve, *that ſome* publick Corruptions *there are of that Strength and Prevalence, that however ſhameful and pernicious they may be, they muſt yet be ſuffer'd to remain.* He likewiſe lets fall a very ſtrong Inſinuation, *that ſuch is the Situation of Things, that Meaſures ſtrictly virtuous would bring preſent Confuſion, and that an Endeavour to* reform *would* overturn *the State* — He then diſcourages all Regard for *popular Liberty*, by giving us ſeveral Examples of *great Men*, who have periſh'd in the Defence of it; explodes *publick Frugality* as a dangerous Virtue in Princes; and recommends *Venality* as a *neceſſary Evil*, or Expedient of Government.

As *theſe infamous Doctrines* were firſt openly avow'd in *that Pamphlet*, I thought myſelf obliged to make ſome Remarks upon them at that Time, to which I * refer the Reader; but as they have been ſince revived by the *Advocates of Power*, it cannot be improper to combat them ſomewhat more cloſely; which I propoſe to do at preſent by ſome Extracts from *Cato*'s *immortal*

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* *See the* Craftſman, No. 31.

immortal Letters, as Mr. *Oſborne* very juſtly calls them. I chuſe this Method for two Reaſons; *firſt*, becauſe the *miniſterial Writers* themſelves ſeem to allow the Authority of *theſe Papers*, by trumpeting the Fame of them very loudly of late, and recommending them to me as a Pattern of Writing; *ſecondly*, to ſhew my great Indulgence to *theſe Worthies*, by following their Example in reviving *former Writings*; as I ſhall now and then do, upon particular Occaſions, when nothing extraordinary occurs. —— The Reader will find the following judicious Obſervations on the miſchievous Effects of *Venality* and *Corruption* amongſt thoſe *excellent Letters*, (Vol. I. p. 208) from whence I have extracted them verbatim.

" *Saluſt*, or whoever elſe was the Author of the " two Diſcourſes to *Cæſar*, about ſettling the Com- " monwealth, obſerves to that *Emperor*, that thoſe Ma- " giſtrates judge wildly, who would derive their own " Security from the *Corruption of the People*, and " therefore make them wicked Men, to make them " good Subjects; *whereas*, ſays He, *it is the Intereſt* " *of a virtuous Prince to make his People virtuous*; " *for the debauch'd, having thrown off all Reſtraint,* " *are of all Men the moſt ungovernable.*

" ——A *Knave in Power* is as much to be dreaded " as a Fool with a Firebrand in a Magazine of Pow- " der. You have ſcarce a bare Chance for not be- " ing blown up.

" From the *wicked* and *worthleſs Men*, who en- " groſs'd all the Places at *Rome*, in the latter Days of " the Commonwealth, and from the *monſtrous Prodi-* " *galities*, *infamous Briberies*, and *endleſs Corruptions*, " promoted by *theſe Men*, the ſudden Thraldom of " that glorious City might eaſily have been foreſeen. " It was ſcarce poſſible to be *honeſt* and *preferr'd*. " *Atticus* would never accept of any Employment, " though he was offer'd the higheſt. *This Refuſal*, " ſays Monſieur *Bayle*, *was doubtleſs owing to his Vir-* *tue*.

“ *tue. There was no riſing to Offices then but by* “ *Means, that were infamous; nor was there any ſuch* “ *Thing as executing theſe Offices according to the* “ *Rules of Juſtice and the publick Good, without being* “ *expoſed for doing ſo to the Reſentment and Violence* “ *of many and great wicked Men. He therefore choſe* “ *to be rather a* virtuous private Man, *than an* exalted and publick Rogue.

“ *How charming is this Example; but how rare?* “ *If all Men were like* Atticus, *there would be no Danger of a State of Anarchy. But as to That, We may* “ *be eaſy; for there will be always more* Rogues *and* “ Rooks *at hand to be devouring and monopolizing Places, by all proper vile Means, than there will be* “ *Places to beſtow.*

“ *Corruption, Bribery* and *Treachery* were ſuch Ways “ to Power as *Atticus* would not tread. Col. *Sidney* “ ſays, *that a* noble Perſon *in his Time, who was a* “ *great Enemy to* Bribery, *was turn'd out of a conſiderable Poſt, as a Scandal to the Court; for, ſaid the* “ principal Miniſter, *He will make no* Profit *of his* “ *Place, and by that Means caſt a Scandal upon* Thoſe, “ *that do.*

“ *Cicero,* who liv'd to ſee diſmal Days of Ambition “ and Corruption at *Rome,* was ſenſible that He could “ do little or no Good with all his Abilities and his “ Honeſty. *If I ſaw,* ſays He, in a Letter to *Lentulus, if I ſaw the Commonwealth held and govern'd* “ *by* corrupt *and* deſperate Men, *as hath happened in* “ *my Days, and formerly, no Motive or Conſideration* “ *ſhould engage me in their Intereſts; neither their* “ Bribes *could move me; nor could* Dangers, *which often* “ *ſway the boldeſt Men, terrify me; nor could any of* “ *their* Civilities, *or any of their* Obligations *ſoften me.*

“ Talking in another Place of the *Senate,* then aw'd “ by *Power,* or govern'd by *Avarice,* He ſays, *aut* “ *aſſentiendum eſt nullâ cum Gravitate Paucis, aut* “ *fruſtrâ diſſentiendum;* That is, *you muſt either baſely*

“ *Vote with* Craſſus *and* Cæſar, *and one or two Men more in Power, or Vote againſt Them to no Purpoſe.* Theſe *great Men* did not ſeek Power, nor uſe it, to do Good to their *Country,* which is the End of Power, but to *Themſelves,* which is the Abuſe of Power. Where *Government* is degenerated into *Jobbing,* it quickly runs into *Tyranny* and *Diſſolution* ; and *He,* who in any Country poſſeſſes Himſelf of a great Poſt for the Sake of *gainful Jobs,* as a *certain, great Perſon* once own'd He did, ought to finiſh his laſt Job under a Gallows.

“ It is natural and neceſſary for Thoſe, that have *corrupt Ends,* to make uſe of *Means,* that are *corrupt,* and to hate all Men, that are *uncorrupt.*

“ I would lay it down as a Rule for all Nations to conſider and obſerve, that where *Bribery* is practiſed, 'tis a Thouſand to One but *Miſchief* is intended ; and the *more Bribery,* the *more Miſchief.* When therefore the *People,* or their *Truſtees,* are *bribed,* They would do well to conſider that it is not, it cannot be, for their *own Sakes.* *Honeſt* and *open Deſigns,* which will bear Light and Examination, are hurt and diſcredited by *baſe* and *dark Expedients* to bring them about ; but if you would perſuade a Man to be a *Rogue,* it is natural that *Money* ſhould be your firſt Argument ; and therefore whoever offers me a *Bribe,* does tacitly acknowledge that He thinks me a *Knave.*

“ *Tacitus,* taking Notice of the woeful Decline of Virtue and Liberty, towards the End of the Republick, ſays that the greateſt Villanies were committed with Impunity, and Ruin was the Price of Honeſty ; *deterrima quæque impune ; ac multa honeſta Exitio fuere.* And, indeed, where *Corruption* and *publick Crimes* are not carefully oppoſed and ſeverely puniſhed, neither *Liberty* nor *Security* can poſſibly ſubſiſt.

" The *immenſe Briberies*, practiſed by *Julius Cæ-*
" *ſar*, were ſure and terrible Preſages of *Cæſar*'s Ty-
" ranny. It is amazing what mighty Sums He gave
" away. *Caius Curio* alone, one of the Tribunes, was
" bought into his Intereſt at no ſmaller a Price than
" *half a Million* of our Money. Other Magiſtrates too
" had their Shares; and all were bribed, who would
" be bribed. We may eaſily conceive how He came
" by ſuch Sums. He got them as wickedly as He
" gave them away. Nor can I call Him *generous* in
" this vaſt Liberality; ſince He purchaſed the *Roman*
" Empire with its *own Money*, and gave away a Part to
" get the whole.

" Unjuſt and unfrugal Ways of throwing away Mo-
" ney made wicked and violent Means neceſſary to
" get Money; and *Rapine* naturally follows *Prodiga-*
" *lity*. They, that waſte *publick Money*, ſeldom ſtop
" there, but go a wicked Step farther, and having firſt
" *drain'd* the People, at laſt *oppreſs* them. *Publick*
" *Frauds* are therefore very alarming, as they are very
" big with *publick Ruin*.

" Nor would it have been any Advantage, or Secu-
" rity to *Rome*, though *Cæſar* and his Party had been
" *leſs able Men* than in Truth They were. Having
" debauch'd the People, He did more by *Corruption* to-
" wards enſlaving Them than He did by his *Parts*, as
" great as they were. It is ſomewhere obſerved, that
" to *do Good* requires ſome Parts and Pains; but any
" Man may be a *Rogue*. *The World*, ſays the Proverb,
" *little knows what ſilly Fellows govern it*.

" It is an Obſervation, which every Body is capable
" of making, *that a* good Character *loſt is hardly, if*
" *ever, recover'd*. Now the Reaſon of This is not ſo
" much from the Malevolence of the World, (often too
" ready to calumniate) as from the Inability of a
" *Knave* to become honeſt. He is, as it were, doom'd
" to be one. The Biaſs of his Spirit is crooked; and
" if He ever acts *honeſtly*, it is for a *roguiſh Reaſon*. I

“ have known a Man, who having wilfully loſt all Credit, rejected as wilfully all Opportunities to regain it even when thrown into his Lap. He could not help earning *freſh Deteſtation*, with great Labour, wher He might have acquired the higheſt Renown, with the greateſt Eaſe. From hence may be ſeen how dangerous it is ever to truſt to a *Man*, who hath once been a *Villain*; and hence too may be learn'd that from *Men*, who have done eminent Miſchief, whether publick or private, greater ſtill is to be dreaded. *Vice* is a prolifick Thing, and *Wickedneſs naturally begets Wickedneſs*.

“ The *Romans*, ſays *Saluſt*, were arrived to that Pitch of *Corruption*, that They gloried in *Extravagancy* and *Rapine*, and made Sarcaſms upon *Virtue*. *Modeſty* and a *diſintereſted Mind* paſs'd with Them only for *Sloth* and *Cowardice*. Thoſe, that were in Power, neglecting *Virtue*, and conſpiring againſt *Innocence*, preferr'd only their *own Creatures*. *Innocentes circumveniunt*; *ſuos ad Honores tollunt*. Wicked Deeds and an infamous Character were no Bars to the poſſeſſing of Power; and Thoſe, that acted as if *Rapine* was their Employment, and *Plunder* the Perquiſites of their Place, were not thought unfit for *freſh Preferments*. *Non Facinus, non Probrum, aut Flagitium obſtat, quo minus Magiſtratus capiant. Quod commodum eſt, trahunt, rapiunt.* At laſt, their *great Men* had no Principle but *Rapaciouſneſs*, and obſerved no Law but their *Luſt*. The whole Commonwealth was become their *Prey* and their *Pillage*. *Poſtremò, tanquam Urbe captâ, Libidine ac Licentiâ ſuâ pro Legibus utuntur.*

“ The *ſame Author* ſays, that it would have leſſen'd his Concern, had He ſeen ſuch great Wickedneſs perpetrated by *Men of great Qualities*; but his Grief had not this Mitigation; for, ſays He, *wretched Creatures with little Souls*, whoſe whole Genius lay in their *Tongue*, and whoſe utmoſt Talent and Abi-

“ lity was to *prate glibly*, exerciſed with Inſolence that Power, which They had acquired by Chance, or the Sloth of others. *Ac Me quidem mediocris Dolor angeret, ſi virtute partam victoriam more ſuo per ſervitium exercerent; ſed Homines inertiſſimi, quorum omnis vis virtuſque in Linguâ ſita eſt, forte & alterius ſocordiâ, Dominationem oblatam inſolentes agitant.* And for the *Roman Nobility*, of that Time, He ſays that, like ſtupid Statues, their Names and their Titles were their only Ornaments; *inertiſſimi Nobiles, in quibus, ſicut in ſtatuâ, præter Nomen nihil eſt Additamenti.*

“ We ſee what a Market *theſe Men* made of Power, and what a Degree of Degeneracy They introduced. The End of all was the *utter Loſs of Liberty, and a ſettled Tyranny.*

Thus much have I tranſcribed from *Cato*'s *immortal Letters*; which I believe will be thought ſufficient, at reſent, to ſhew the Diſcretion of *thoſe Writers*, who ut Him in Oppoſition to *Me*, and recommend his Manner of writing to my Imitation. As our *Prin-iples of Government* ſeem to be generally the ſame, I ave long endeavour'd to imitate his *Manner of writing*, s far as I could ever approve it, and have declined a articular Examination of many Subjects, becauſe I ound them fully explain'd in *his Writings*; which will eſcend to Poſterity in the ſame Light with the Wri-ings of the *Craftſman*, notwithſtanding the *affected Diſtinction*, which hath been lately made between them. The *Object* of our Complaint is the ſame, as well as ur *Principles* in political Affairs. Where He left off, begun; and if I have fallen ſhort of Him in the Pro-ecution of the ſame Deſign, it is a Fault of my *Head*, nd not of my *Heart*, which Poſterity, whom We have oth endeavour'd to ſerve, will eaſily excuſe. I am as ealous in the Cauſe as He could be; my Papers have een received with the ſame Approbation; and the

Writings againſt me have met with the ſame general Contempt.

But to come to the Point, which occaſioned this Paper. What a wretched Figure does the *Author of Clodius and Cicero* make, when compared with the Writings of the *immortal Cato?* In *One* you ſee the bold, honeſt Spirit of a *free, uncorrupted Briton,* againſt the miſchievous Conſequences of *Venality* and *Corruption.* In the *Other,* you behold the mean Subſerviency of a *Court Dependent,* who endeavours to earn the Wages of Servitude, by varniſhing *thoſe ſcandalous Vices,* and ſoftening them with the Name of *neceſſary Evils.* Whilſt *One* therefore will be read with Approbation, and deſcend to the lateſt Generations, the *Other* will juſtly incurr the Abhorrence of the preſent Age, and He ought to wiſh that his Writings may be forgotten in the next. *D.*

N° 269. SATURDAY, *Auguſt* 28, 1731.

The Subject of the Dependency of Parliament *continued.*

THE *Dependency of the Parliament on the Crown* having lately become a Point of Diſpute, and been openly juſtify'd in a ſcandalous Letter, dated from *Cambridge,* which I have already examined in two former Papers, I propoſed to ſubjoin ſome general Obſervations on the fatal Conſequences of *Corruption,* or of *ſuch a Dependency* as hath been pleaded for, if it ſhould ever make its Way into the *Houſe of Commons.* But as I find this Subject very fully treated in *Cato*'s *Letters,* I hope the Reader will excuſe ſome farther Extracts out of them at this Time, when they are ſo very particularly recommended to my Imitation by thoſe very Men, who endeavour to write down all the great *Principles of Liberty*, which the *Author of thoſe Letters* contended for in ſo ſtrenuous a Manner.

That Gentleman addreſſes Himſelf to the *Engliſh Freeholders*, juſt before a general Election of their Repreſentatives, in the following Manner.

" *Gentlemen*,

" You are born to *Liberty*, and it is your Intereſt " and Duty to preſerve it. The Conſtitution you " live under is a *mix'd Monarchy*, where your Go" vernors have every Right to protect and defend you, " and none to injure and oppreſs you. You have a " large Share in the *Legiſlature*; you have the ſole " Power over your *own Purſes*; and you have an un" doubted Right to call to Account and puniſh the " *Inſtruments of your Oppreſſion*; but it depends upon " yourſelves alone to make theſe Rights of yours, theſe " noble Privileges, of Uſe to you. The beſt Laws " give no Security, if they are not executed; but in" deed become worſe than no Laws; and they never " will be executed, unleſs Thoſe, who are intruſted " with the Execution of them, have an Intereſt in " their Execution.

" All Men deſire naturally *Riches* and *Power*; and " almoſt all Men will take every Method, juſt or " unjuſt, to attain them. Hence the Difficulty of " governing Men, and of inſtituting a Government, " equally proper to reſtrain them and protect them; " and hence the Inſufficiency of *ſimple Forms of Go" vernment*, to provide for the Happineſs and Security " of Societies. An *arbitrary Prince* will quickly grow " into a *Tyrant*. The uncontroul'd Dominion of the " *Nobles* will as certainly produce *Oligarchy*, or the " *Tyranny of a Few*; That is, Pride, Combination " and Rapine in the Sovereigns, and Miſery and De" jection in the many. And the unreſtrain'd Licen-

" tiouſneſs

" tiouſneſs of the *Multitude* will beget Confuſion and
" Anarchy. To provide againſt theſe certain and
" eternal Evils, *mix'd Forms of Government* were in-
" vented; where *Dominion* and *Liberty* are ſo equally
" temper'd, and ſo mutually check'd one by another,
" that neither of them can have Intereſt and Force
" enough to oppreſs the other.

" *Theſe Inſtitutions* have provided againſt many
" Evils, but not againſt all; for whilſt Men con-
" tinue in this State of Degeneracy, That is, whilſt
" Men are Men, Ambition, Avarice and Vanity,
" and other Paſſions, will govern their Actions; and,
" in Spight of all Equity and Reaſon, They will be
" ever uſurping, or attempting to uſurp upon the
" Liberty and Fortunes of one another; and all Men
" will be ſtriving to enlarge their own. *Dominion*
" will always deſire Increaſe, and *Property* always to
" preſerve it ſelf; and theſe oppoſite Views and In-
" tereſts will be cauſing a perpetual Struggle; but by
" this Struggle *Liberty* is preſerved, as Water is kept
" ſweet by Motion.

" The Nature and Reaſon of *this Sort of Govern-
" ment* is to make the ſeveral Parts of it controul and
" counterpoiſe one another, and ſo keep all within
" their proper Bounds. The Intereſt of the *Magiſtracy*,
" which is the Lot and Portion of the Great, is to
" prevent Confuſion, which levels all Things. The
" Intereſt of the *Body of the People* is to keep Power
" from Oppreſſion, and their Magiſtrates from chang-
" ing into Plunderers and Murtherers; and the In-
" tereſt of the *ſtanding Senate*, which is or ought to be
" compoſed of Men diſtinguiſhable for their *Fortunes*
" and *Abilities*, is to avoid Ruin and Diſſolution from
" either of theſe Extremes; ſo that to preſerve *Liberty*,
" all theſe *co-ordinate Powers* muſt be kept up in their
" whole Strength and INDEPENDENCY.

" *Names* will not defend you, *Gentlemen*, when the
" *Thing* ſignify'd by them is gone. The Emperors of

" *Rome* were as abſolute with the Shew of a *Senate,* " and the Appearance of the *People*'s chuſing their " Prætors, Tribunes and other Officers of the Com- " monwealth, as the *Eaſtern Monarchs* are now with- " out theſe *ſeeming Checks* and this *Shew of Liberty*; " and in ſome Reſpects They were more ſecure, as the " Infamy of their Tyranny was ſhared by *theſe Aſ-* " *ſemblies,* and the Advantages were all their own; " and the Condition of the *People* was rather the worſe " for theſe *mock Magiſtrates* and *pretended Repreſenta-* " *tives,* who, under the Colour and Title of the *Pro-* " *tectors of the People,* were, at the People's Expence, " the real Helpers and Partakers of the Tyrant's Ini- " quity. The Kings of *France* have *Parliaments,* but " Parliaments, which *dare* not diſpute their Royal " Pleaſure; and the poor People would not fare one " Jot the better, if theſe Parliaments were *bribed* not " to diſpute it.

" This wretched Caſe, *Gentlemen,* will be yours, " and the wretched Caſe of your Poſterity, if ever an " *ambitious Prince* and *deſigning Miniſter* ſhall hereafter " be able to *corrupt,* or *awe your Repreſentatives*; " and whatever wicked Bargains are then made, will " be made at your Expence, and you muſt pay the " terrible Reckoning at laſt. You have a King at " preſent, from whom you have none of theſe Things " to fear. But alas! *Gentlemen,* how few *Titus*'s and " *Trajans* were there found amongſt the *Roman Em-* " *perors?* And how few can *England* ſhew ſince the " *Conqueſt*? It requires therefore your beſt Thoughts " and moſt vigorous Reſolutions to preſerve your " *Conſtitution* intire in all its Parts, without ſuffering " any *one Part* to prevail ſo far over the *other*, as to " reduce it in *Effect,* though not in *Name,* to a *ſimple* " *Form of Government,* which is always *Tyranny.* It " will be all one to you, whether This is brought " about by *Confederacy,* or *Force.* Whatever be the " *villainous Means,* Violence, Oppreſſion and every " Rank of Evil will be the *End.*

" In order to this honeſt, or publick Deſign, you " ought to chuſe *Repreſentatives*, whoſe Intereſts are " at preſent the ſame with your own, and likely to " continue the ſame; *Repreſentatives*, who are not " already præengaged, nor, from their Circumſtances, " Education, Profeſſion, or Manner of Life, likely to " be engaged in a contrary Intereſt. He will prove " but a ſorry Advocate, who takes Fees from your Adverſary, and as indifferent a Plenipotentary, who " receives a Penſion from the Prince, whom He is commiſſion'd to treat with; nor can there be any Security " in the Fidelity of one, who can find it more his " Intereſt to betray you, than ſerve you faithfully.

" *Virtue* and *Vice* will be but ill-ballanced, when " *Power* and *Riches* are thrown into the wrong Scale. " A great Proteſtant Peer of *France*, having changed " his Religion, in Compliance with his Maſter, *Henry* " the IVth of *France*, who had changed too, was ſoon " after ask'd by that Monarch publickly, *which of the* " *two Religions He thought the beſt? The* Proteſtant, " *Sir, undoubtedly is the beſt*, ſaid the Peer, *by your own* " *Royal Confeſſion*; *ſince in the Exchange for it, your* " *Majeſty hath given me* Popery *and a* Marſhal's Staff " *to Boot*. Where *Boot* is given, there is always a tacit " Confeſſion that the Exchange is unequal without it. " Chuſe not therefore ſuch, who are likely to truck away " your *Liberties* for an Equivalent to Themſelves, and " to ſell you to *Thoſe*, againſt whom it is their Duty " to defend you. When their *Duty* is in one Scale, and " a *thouſand Pounds a Year*, or more, or even leſs, is " thrown into the contrary Scale, you may eaſily gueſs, " as the World goes, how the Ballance is like to turn.

" Can you bear This, *Gentlemen?* It is the Root of " all your heavy Sufferings, and may yet produce worſe " and more heavy. You are Freemen, and Men of Reaſon and Spirit. Awaken your Spirit, exert your Reaſon " and aſſert your Freedom. You have a Right to *petition* " *the Parliament*; you have a Right to *addreſs the King*;

" to propoſe your Thoughts and Grievances to both;
" and to be heard and reliev'd, when you ſuffer any.
" Alas! *Gentlemen*, with Tears I tell you, the *Cure*
" *of Corruption is left to you.*——A Cure from *another*
" *Quarter* is cruelly deny'd to us. A *worthy Attempt*
" *was lately made to deſtroy it effectually*; and We hoped
" that *no Man, or Set of Men,* pretending to common
" Honeſty, would have had the Face to diſcourage, or
" fruſtrate that Attempt. But it was fruſtrated, and
" We know *where*, and *by whom*, and *for what Ends.*
" Thoſe, who owe their whole Figure and Fortune
" and Force to *Corruption*, rather than part with it,
" ſeem determined to ſee the Nation conſumed and
" periſh in it——

What a noble Spirit diſcovers it ſelf in this Addreſs, when compared with the Writings of our modern Advocates for *Power, Venality* and *Corruption*; with the ſhameleſs Authors of the *Cambridge Letter*, the *London Journal*, the *Free Briton*, and the whole Herd of *Court Pamphleteers?* I hope *theſe Gentlemen* will either anſwer *Cato*'s Arguments againſt *Corruption*, or give up their own ſcandalous Apologies for it, before They name Him any more in Oppoſition to *Me*; for their *Patron* will certainly reſent ſuch an imprudent Recommendation of a Courſe of Papers, which contain a full Anſwer to all their late Trumpery, and fix'd the infamous Name of the SCREENER upon Him. *D.*

WHEREAS ſeveral well-meaning Perſons, both in Town and Country, have lately refuſed to take in the London Journal, *the* Daily Courant, *and the* Free Briton, *as well as ſome* occaſional Pamphlets, *which have been ſent them by unknown Hands, from an Apprehenſion that They ſhould be obliged to* pay *for them at laſt; Theſe are to certify all ſuch Perſons, that if They will be ſo kind as to* read *them, nothing farther is expected from Them.*

Witneſs our Hands, J. R. J. P.

SATURDAY,

Nº 270. SATURDAY, *September* 4, 1731.

Some particular Facts, relating to Mr. P. *truly ſtated and cleared from the Miſrepreſentations of the Writers againſt Him.*

In a Letter to CALEB D'ANVERS, *Eſq;*

Mr. *D'Anvers,*

AS ſoon as the *Defence of Mr.* P. was publiſhed, the whole Poſſe of *Dependents* were ſtruck dumb, and look'd at each other, for two or three Days, with gloomy, diffident, Faces; but proper Meaſures having been taken, and the Cue given out, They began to brighten up again, and dropt out in Print, one after another, in their *Maſter*'s Defence. Two or three lame *Courants* led up the Van; and the Author of them very modeſtly own'd that He *knew nothing of the Matter*, but was reſolved to *pin his Faith on his* PATRON'S *Sleeve*. The worthy Author of the *London Journal* appear'd next, with his uſual Profundity of Reaſoning and Billingſgate. To Him ſucceeded the pert Mr. *Walſingham*; and, having put the Government to the Charge of a *double Paper*, gave us Hopes that the Matter would be conſider'd by a yet *abler Hand*.

Upon This, *Sir*, you publiſh'd an Advertiſement in your Paper, which made us ſoon expect a *farther Defence of Mr.* P; but as that *able Hand* hath not yet appear'd, or at leaſt cannot be diſtinguiſh'd, I ſuppoſe you have laid your Deſign aſide. We have indeed been obliged, ſince that Time, with *London Journals, Courants,*

Courants, *Free-Britons* and *Hyp-Doctors* without Number, beſides a Cart-load or two of *miniſterial Pamphlets*, written in the ſame Style and Spirit; but I preſume that neither you, nor any of Mr. *P*'s Friends will give Themſelves the Trouble of anſwering ſuch Ribaldry; and yet *theſe Wretches* have lately affected to triumph upon your Silence, as a Proof of their Victory, though it evidently proceeded from your Contempt of their Writings.

The Truth is you juſtly look upon theſe *perſonal Altercations* as Matters of little Conſequence; and the World, no doubt, is heartily ſick of them; but as there are two or three Points of *Fact*, which have been moſt groſsly falſified, and are conſtantly inſiſted on by *theſe Scribblers*, as their laſt reſort of Calumny; I deſire you to give the Publick a plain State of them, as I ſhall draw it up for you with all poſſible Brevity; but without entering into that copious Field of argumentative Scandal, which *theſe Gentlemen* have open'd. The World, I believe, is fully ſatisfied in theſe Points; and therefore I ſhall confine my ſelf to a few *Facts* only, and ſome Reflections upon them.

One Thing more I muſt premiſe—Though the Points, which I am now going to clear up, have been equally miſrepreſented in almoſt all the *Pamphlets* and *Papers*, that have been publiſh'd againſt Mr. *P*. I ſhall keep my Eye chiefly on the Writers of the *Free-Briton* and a *Pamphlet*, intitled *A Letter to Mr.* P. *&c* becauſe They were undeniably employ'd by his *Adverſary*, and *thoſe Papers* are known to have been propapated through the Kingdom, by his Authority, at the publick Expence.

Theſe Mercenaries, finding Themſelves unable to ix any Charge of *Corruption*, *Miſmanagement*, or *Breach f Truſt* upon the *Gentleman*, whom They are hired o abuſe, it was thought fit to accuſe Him of having *hared the Bounties and added to the Penſions of the*

Crown.— But how is this Accuſation made good, Anſwer to what hath been ſaid in his *Defence?*

The Author of *this Piece* acknowledges a Preſent the *Journals of Parliament* from his late Majeſty; *mighty Boon in Truth!* —— Let us ſee therefore wh ther any Thing farther hath been proved.

It was confidently aſſerted by the *Remarker, th* ALL this Gentleman's *Eſtate was acquired only by* Secretary of the Treaſury; *and that he obtain'd th* Fee ſimple *of it, upon very eaſy Terms, from the* Crow *by the Favour, Indulgence and aſſiſtance of h* Patron.

The firſt Part of this Charge (*that* ALL *Mr.* P *Eſtate was acquired by a* Secretary of the Treaſury immediately appear'd, upon Examination, to be a mo impudent Falſhood; and there is no Occaſion for m to confute Him farther, becauſe the *Letter-Writer* Him ſelf gives this Point up, and endeavours to bring o his *Brother Hireling* by a moſt exquiſite Device, whic is well worth the Attention of the Reader. *It wa Matter of general Converſation* * ſay He, THAT MR. GUY HATH LEF ALL HIS ESTATE TO MR. P. *This in length Time might, by* pure Miſtake, *eaſily come, in the Ta of the World, to be changed thus.* MR. P. HAD AL HIS ESTATE LEFT HIM BY MR. GUY. *The Aſſertions in ſound are much alike; and 'tis no grea Wonder if* ſuch miſtakes *are made by People, who ha no Opportunities of knowing any Thing of ſuch Ma ters, but as they paſs from one to another in commo Converſation.*— Let This therefore paſs only for a *Mi ſtake.* I will not call it a *Lye,* for his *Friend* Sake.

But is the *other Part* of this Charge better proved *viz. that Mr.* P. *obtain'd the* Fee ſimple *of* ALL *th Eſtate, upon very eaſy Terms, from the* Crown, *by th Favour, Indulgence and aſſiſtance of his* Patron?

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* *Pag.* 45.

It was aſſerted, on the other Hand, that moſt of *this Gentleman*'s Eſtate was *Land of Inheritance* before; and that the Value of that Part of it, which was made *Fee ſimple* by an Act of Parliament and a fair Purchaſe from the Crown, did not exceed *thirteen hundred Pounds a Year.*

What ſays the *Remarker* to This, in his *Reply?* Why, He is again reduced to the loweſt Prevarication. He will not own Himſelf guilty of a *Falſhood*, though He is fully convicted of it; and therefore, inſtead of juſtifying his Aſſertion, (*that Mr.* P. *obtain'd the* Fee-ſimple *of* ALL *his Eſtate from the* Crown, *by the Favour of his* Patron) He only tells us that *great Part of it formerly belong'd to the Crown*, (as moſt of the Eſtates in *England* did) and that the *Lands*, of which He lately obtain'd the *Fee-ſimple*, are worth ſomething more than 1300 l. a Year; *for Mr. Cholmley*, ſays He, *then Surveyor General, who ſet the Fine, valued the immediate Rents of them at* 2047 l. 7 s. *per Annum*.

If any Perſons have been miſled, by this State of the Fact, to believe that the Author of Mr. *P*'s *Defence* aſſerted a Falſhood, when He ſaid that this Eſtate was not worth above 1300 l. a Year, They will be convinced, when they ſee it ſet in a true Light, of the vile Artifice of *this little Fellow*, who hath the Privilege of Acceſs to all the *Offices*, that He may impoſe his Falſhoods on the World with a Shew of greater Authority.

The Fact, I am told, ſtands thus. When the *Surveyor General* drew up his *Report*, He made his Valuation from the *Rents* of the Houſes, which then ſtood on the Eſtate; but let us ſee what He ſays in the *Report*. The Words are theſe. *The Premiſſes are now let for* Two Thouſand and Forty-ſeven Pounds, ſeven Shillings per Annum; *but in Regard ſeveral of the Houſes will ſoon want to be* rebuilt, *and that the* Ground-Rent *to be reſerved on a Building Leaſe will be leſs* *conſiderably than what is now paid; and that the Term in being are now for above* one hundred Years; *I am o Opinion that a Fine of* five hundred Pounds *is a valuable Conſideration.*

The *Fine*, as it was thus ſettled, was accordingl paid to the *Crown*; and when the Building Leaſes fel in to Mr. *P*. He let the whole out again upon othe Leaſes, which have never produced above 1300 *l. pe Annum*, without having ever received one Shilling, b way of *Fine*, on this Eſtate.

This proves that Mr. *Cholmley* did his Duty to th *Crown*, notwithſtanding the invidious Reflection caſ upon Him. If any Body doubts whether this Eſtate at preſent brings in above 1300 *l. per Annum*, He may have the Affidavit of forty People, ſhould it be thought a Matter of Conſequence enough to require it. And whereas it hath been aſſerted that the whole Charge o converting this Eſtate into Freehold (the *Fine* included) could not amount to above 600 *l.* a *Gentleman* of undoubted Credit in the Law, who was concern'd in the Affair, is ready to teſtify that it coſt at leaſt *one whole Year's Rent*, every Thing conſider'd; and now let Them compute what ſuch a Sum, at *compound Intereſt*, would produce at the End of the Term.

This is all I ſhall ſay, concerning the *Gentleman's Eſtate*; which would have been a great deal too much, if it had not been ſo peremptorily extorted from me by *Thoſe*, whom it leaſt became.

We now come to the *other Charge againſt Mr.* P; *that He hath added to the* Penſions *of the Crown.*

The *Remarker* aſſerted This in general, without ſpecifying any Inſtance to ſupport his Accuſation; but his Meaning evidently appeared to be, that Mr. *P*—'s inſiſting on the *Cofferer's Office* obliged the *M*——*r* to give a *noble Perſon*, of the moſt unblemiſh'd Integrity, *another Employment*, which He had the Impudence to call a *Penſion*. This ſcandalous Inſinuation was firſt broach'd by his *Patron* in the *H*——*ſe of C*——*s*, and ſtollen from Him by *this Writer*, when He was *ſuffer'd*, as He tells us, *to attend in the Gallery*. He acknowledges his Meaning to be juſtly explain'd, in his *Reply*; and endeavours to ſoften his Inſolence to the *noble Earl* by the Name of a *Miſtake*. At the ſame Time, He repeats and aggravates the ſame Inſolence, by inſiſting that his *Lordſhip*'s Acceptance of *this Employment* added an unneceſſary Expence to the Crown of *five thouſand Pounds a Year*; but here again his old Friend, the *Letter-writer*, gives Him up, and tells Him very plainly that He talk'd like a Fool, (or, in friendly Language, *expreſs'd Himſelf very improperly*) when He ſaid *that Mr.* P. *had added to the* Penſions *of the Crown, if That was his Meaning*; *for how can an antient and honourable Poſt (as the* Groom of the Stole *is) be called a Penſion?* He hath therefore found out another Meaning for Him, which it ſeems that *wiſe Author* was not aware of Himſelf, *viz. that Mr.* P. *inſiſted on an additional Salary of* 200 l. *per Annum to the Appointments of the Secretary at War, and thus truely added to the* Penſions *of the Crown.*—*If the* Remarker *meant This*, ſays his Friend, *He expreſſed Himſelf very properly*. But He had unluckily own'd before, *that This was not his Meaning.*——Who can doubt a Minute longer that Mr. *Walſingham* was the Author of the *Remarks*, and wrote them *without Direction, or Inſtruction?* — Poor Man! What a ſad Thing it is to be *kick'd about from Pillar to Poſt*, at this Rate; firſt of all, to be oblig'd to father *Falſhoods*, which nobody can ſuppoſe to be of thy own hatching; and, when they are detected, to be given up in this contemptuous Manner as one, who did not underſtand his *own Meaning?* —But let us ſee how this new Charge againſt Mr. *P*. will come out.

When *this Gentleman* was made *Secretary at War*, He found the Office conſiſting only of two or three ſcanty Rooms in *Whitehall*; the Houſe, which formerly belong'd to it, having been given to Mr. *Blathwait*. Upon This, He acquainted the King that there was an

Houſe in the Neighbourhood, which would ſerve very conveniently for an *Office*, without much Expence to the Crown. This Houſe had been begun in the Queen's Time for the *Maſter of the Houſhold*; but as it was not finiſhed, He thought it might be as well given for an Office to the *Secretary at War*, and his Majeſty accordingly conſented to it; but when it came to be known, the *Board of Green Cloth* applied to the King and deſired that the Houſe, which was originally deſign'd for one of *that Board*, might not be given from it. His Majeſty reply'd that He had already given it, and would not be worſe than his Word; nor could They move Him 'till Mr. *P*. Himſelf conſented to wave his Pretenſion, founded on the King's Promiſe. Upon This 200 *l*. a Year was given to the *Office*, in Lieu of it, and hath continued in it ever ſince.

This is a true State of the Caſe; and I will leave the World to judge how ridiculouſly it hath been improved into a Charge againſt Mr. *P*. Had He begg'd the *Houſe* for *Himſelf*, He might have been reproach'd with it; and yet if He had thought fit to have done it, I make no Doubt that He might have as eaſily obtained ſuch a Favour of his Majeſty, as *another Perſon* obtained his Lodgings, when *Paymaſter of Chelſea College*, in a very extraordinary Manner; for if I am not very much miſtaken, I have ſomewhere read that when *this Gentleman* went to Court, and laid down his Employment, He aſſured the late King of the Continuance of his Service, though *not in Place*; and to give his Majeſty a Pledge of his Sincerity, He told Him that He would ask a Favour. This was the Houſe at *Chelſea*, which his Majeſty granted Him; and every Body remembers his Conduct immediately after.—But Mr. *P*. did not follow his Example. He ſcorn'd to ask the *other Houſe* for HIMSELF. He begg'd it *for* the OFFICE, not *from* the OFFICE.

But why is this *Salary*, in Lieu of an *Houſe*, which formerly belong'd to the Office, call'd a *Penſion?* For no other Reaſon than to explain away, if They can, a moſt inſolent Affront, which the *Remarker* offer'd to *another Perſon*, of great Worth and Diſtinction. But let *theſe Writers* take Care how They call it by *that Name* any more; for if it is really a *Penſion*, all the *Secretaries at War* ever ſince have ſate illegally in the *Houſe of Commons*; and how do They know that it will not be objected againſt the *preſent Secretary?*

The *Defender of the Remarks* (I mean *Walſingham*) hath gone a little out of his Way to fix another Charge againſt Mr. *P*. whilſt *Secretary at War*; and in this Point He hath the Happineſs to be ſeconded by his Friend the *Letter-writer*, and his *other Fellow-Labourers*, who have the Honour to travel with Him *gratis* into the Country every Week.

It ſeems, Mr. *D'Anvers*, that you expreſſed yourſelf, about three Years and a half ago, in the following Manner to the celebrated Col. *Platoon*. —— "I have "been told that when Mr. *P*. came into the *War-Office*, He gave up a *thouſand Pounds a Year*, there "being at that Time but 7,000 Men upon the Eſtabliſhment of *Great Britain*; not thinking it reaſonable to take that *additional Salary*, which had been "given to the Office from the *Contingencies*, when the "Army was *larger*. But ſome Time afterwards the "late King, when a *Rebellion* made it neceſſary to "*increaſe* his Forces, had the Goodneſs Himſelf to tell "Mr. *P*. that ſince the Troops were again *augmented*, "and the Buſineſs of the Office *increaſed*, He ſhould "again have the *additional Salary*, which hath con-"tinued ever ſince.

The *Gentleman*, who defended Mr. *P*. againſt the *Remarks*, took no Notice of this Circumſtance; but Mr. *Walſingham*, in his *Reply*, hath pick'd it up, and comments upon it in the following Manner.

"Now, for the Sake of *Truth*, *ſays He*, and of the "good People of *England*, ſhall this Story be explain'd "to the World.

" The *honourable Gentleman*, out of his extraord
" nary Affectation, firſt relinquiſhes this ſo muc
" boaſted *thouſand Pounds per Annum*; and accordingl
" his firſt Warrant, paid Him as *Secretary at War*, w
" dated the 20th of *July* 1715, for 1455 *l.* for Him
" ſelf and Clerks. But what then? Why, havin
" made a pompous, oſtentatious Uſe of this *Modeſ*
" and *Self-denial*, He comes again to the *Treaſury*, i
" *Jan.* 1715-16, with a Warrant for the *very ſam*
" *additional* 1000 *l.* a Year, to be paid Him withou
" Deduction, or Account; and, what was more ex
" traordinary, makes it commence from that *very Tim*
" when He pretended to *give it up*; makes it eve
" commence from the 24th of *June* then laſt paſt
" when He owns that, at that *very Time*, He did n
" think it *reaſonable* to receive it.

Is it not natural to conclude from this Paragraph, a it is worded, that Mr. *P.* received this *additional Salar* of 1000 *l.* a Year, during the whole Time of his Continuance in the *War-Office*; and that He got his *la* *Warrant* dated with a Retroſpect accordingly? I confeſs, I underſtood This to be the Senſe of it, upon th firſt reading; and I have met with nobody, who underſtood it otherwiſe. I was pretty confident, indeed that Mr. *Walſingham* had aſſerted a Falſhood, an therefore had the Curioſity to procure Copies of theſ *two Warrants*; *one* of which is dated, as He ſays trul enough, *the 20th of* July 1715, for 1455 l. *to* W. P. *Eſq* *for the Support of Himſelf and the Maintenance of hi under Officers and Clerks*; *the ſame to commence th 29th of* September laſt *excluſive*; — That is, *Septembe* 1714, when He came into the *Office*. The *other* i dated, as He obſerves rightly again, the 16*th of Jan* 1715-16, *for a* farther Allowance *of* 1000 l. *per Annum* *the ſame to commence from the 24th Day of* June *laſt* That is, *June* 1715.

From hence it appears that Mr. *P.* did not receive any Part of this *additional Salary* for *nine Months* after He came into the *Office*; That is, from the 29th of *Sept.* 1714, to the 24th of *June* 1715.—— Lord! ſaid I to myſelf, hath this *dirty, little Fellow* the Confidence to tell ſuch a palpable Lye, with full Evidence before his Face? But, upon reading over his *Comment* again, I found that, from a Deſign to impoſe upon his Readers, He hath expreſs'd Himſelf in ſuch a Manner, that every Body naturally takes his Meaning to be, as I have repreſented it, though We cannot directly charge Him with a Falſhood; for He ſays, and juſtly too, that Mr. *P*. did receive the *additional Salary* from the 24th of *June* 1715; but does not take the leaſt Notice that He had been in the Office *nine Months* before, without receiving it.

That This was his Deſign is evident from his ſaying, *that Mr.* P. *made the Warrant for this* additional Salary *commence from that very Time, when He* pretended *to give it up.* Is it not plain that the Word *pretended* was put in here, to make the World believe *that He never* really *gave it up at all?* Nay, the very *Comment* itſelf ſhews This to have been his Meaning; for you, *Sir,* acknowledged in the very Paragraph, which He hath quoted, that Mr. *P*. relinquiſh'd *this Salary* for no other Reaſon, than becauſe the Army conſiſted only of about 7000 Men, and conſequently the *Poundage*, out of which it was paid, was leſs; and that He accepted of it afterwards, when the Increaſe of the Forces increaſed the Buſineſs of the Office, and took away the *Reaſon* of his declining it before. Upon this Occaſion, He had a Right to ask for it, if he pleaſed; but his Majeſty's Goodneſs, in making a voluntary Offer of it, prevented any Application, had He been diſpoſed to make it.

Let me ask a *Friend of theſe Writers*, whether He does not think that ſo large an Augmentation of the *Army*, at this Time, did not give Mr. *P*. an Opportunity of making a fine Harveſt, if He had been a Man of a rapacious Spirit; and whether ſome *other Perſons* might not have made Uſe of the Opportunity, if They had been in the *Office*. But I defy the whole World to prove that He made a Shilling Advantage of it.—— He was not, it ſeems, one of the *Children of this World*.

To give a little Colour to this Prevarication, Mr. *Walſingham* tells us that the Time, when Mr. *P. pretended to give up this Salary*, was in *June* 1715, from which Time the Warrant for it commences. This is a downright Falſhood. He gave it up, as you ſay very juſtly in the *Craftſman*, when He firſt came into the *Office*; for if He had not, the *Warrant* for it would have been made out of Courſe, as it had been for his *Predeceſſors*, from the Time of his coming into the *Office*; whereas it appears from the Face of the *Warrant* itſelf, that He had it not till *nine Months afterwards*.

What a mean Piece of Sophiſtry and Miſrepreſentation is This? I cannot call it a *Jeſuitical* Artifice. No; it is the knaviſh Trick of a *little*, *petty-fogging Attorney*, who cannot ſupport his Cauſe by *fair Practice*; and ſuch are the Tricks, which *theſe Writers* find neceſſary to blacken the Character of a *Gentleman*, who thinks fit to oppoſe the Meaſures of their *Patron*.

Theſe are the principal *Facts*, which I propoſed to clear up; but it will be expected, perhaps, that as I have undertaken the Defence of *this Gentleman*, I ſhould ſay ſomething concerning the *private Converſation*, which hath occaſion'd ſuch an Outcry amongſt the *Penſionary Writers*.

I don't know, Mr. *D'anvers*, how far it may be prudent to enter upon *that Subject*, conſidering the mean Advantages, which have been already taken on *one Side*; but thus much I will venture to add to what you have * already obſerved; that whilſt the Truth of what is alledged ſtands vouch'd upon the Honour of *one Gentleman*, and remains utterly uncontradicted by the *other*, it is moſt ridiculouſly abſurd for any *third*

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* *See the* Craftſman, No. 261.

Perſon, who cannot be ſuppoſed to know any thing of the Matter, to ſtep out and take upon Himſelf to argue againſt the *Credibility* of it. Had the *M——r* thought fit to pledge his Honour on *one Side,* in Contradiction to what the *Gentleman* aſſerted on the *other,* it would be proper enough to reaſon on Circumſtances of *Probability*; but as the Caſe ſtands at preſent, they can have no Weight on *his Side,* and what his *Advocates* advance, of that Nature, deſerves no Anſwer.

The *Letter-writer* ſays that *He don't believe this Story*; and as for Him, I dare ſay the *Gentleman* don't care a Fig whether He does or not. The World hath it, and I will venture to give my Opinion, that however angry *ſome Perſons* may be with ſeeing it publiſh'd, there is not One in an Hundred, of *any Party,* who does not believe it. Nay, if I could look into the *Letter-writer's* Heart, I am confident it would appear that He believes it *Himſelf.*

I could ſay a great deal more, if I were not reſtrain'd by that ſcandalous Advantage, which is always taken, upon theſe Occaſions, of conſolidating the Meaſures of a *Miniſter* with the perſonal Intereſt of the *Prince.*

This Difficulty is always thrown in the Way of *Thoſe,* who preſume to diſſent from *the Man in Power.* Every Expreſſion, every Word is wire-drawn and tortured into ſome bad Deſign againſt the *royal Head,* though his *Servant* only was manifeſtly intended. Whereas the Writers on the *other Side,* are privileged to ſay any Thing, without conſidering whom it may affect, excepting only the *Perſon,* in whoſe Cauſe they are retain'd. Whatever Blunders they commit, whatever Falſhoods They aſſert, or whatever miſchievous Doctrines They advance, are all overlook'd; nay, ſometimes defended; and *Zeal for their* Patron *covers a Multitude of Sins againſt their* Country.

I ſhall not take any Notice of all the ridiculous Clamour, which hath been raiſed againſt *divulging Secrets, intruſted in Confidence and Intimacy of Friendſhip*; becauſe

cauſe you, Mr. *D'anvers*, have already ſhewn the Folly of ſuch Arguments in the preſent Caſe. What paſſed between the *M———r* and the *Gentleman accuſed* was *private Converſation*, indeed; becauſe no Body elſe was preſent; but does That prove any *Confidence*, or *Intimacy of Friendſhip?* ——— I remember a *worthy Member of the Houſe of Commons*, and a *brave General*, at preſent in great Favour, thought fit to complain, in the laſt Reign, of *another Member*, who had attempted to corrupt Him; and though no *third Perſon* was preſent, I never heard Him reproach'd with betraying *private Converſation*; though the *Gentleman*, who made the Attempt, was expell'd for it.

This ſame *blabbing* and *telling of Tales* is, no doubt, a very naughty Trick; and, it ſeems, Mr. *P.* is ſadly addicted to it; for He is charged with diſcovering *another Secret*, which He ought in Honour to have concealed; I mean the *ſolemn Vow and Covenant* (as it is pleaſantly ſtyled) to call their *Patron* to an Account.— But might not *this Combinatian* have been enter'd into on Purpoſe to be known?—Might not one Deſign of it be to prevent the World's believing (what their *Patron* hath often falſely and arrogantly given out) that the Contention was only about *Power* and *Places*, and that He could have any of the *Gentlemen in the Oppoſition*, whenever He thought fit to deal with them? —If This was the Deſign of the *Combination*, I cannot ſee, for my Part, how it could be of any Uſe, if it had not been known.

But what Hurt (ſays the *Letter-writer* to Mr. *P.*) *hath your Libel done the* Miniſter *you ſo furiouſly attack? Its very Virulence hath made it harmleſs.*— If ſo, for Godſake, why hath all this Buſtle been made about it? Why hath the *Miniſter* given Himſelf ſo much Trouble and put the Nation to ſo much Expence to prevent the Effects of it? To what End hath all that Swarm of *Anti-Libels* been ſpread through the Kingdom by his Authority? What Occaſion was there for *Proſecutions*, *Preſentments*, and ſome *other extraordinary Exertions of Power*, which I need not mention, againſt ſuch an *harmleſs Libel*, that hath done the *poor Man no Manner of Hurt?*

Nay, He goes farther, and aſſures the *Gentleman*, that his Libel hath been ſo far from hurting the *Miniſter*, that it hath quite *ruin'd Himſelf*. Why then there is ſtill leſs Reaſon for all theſe Proceedings againſt it. It is true, indeed, that the bare Suppoſition of his being the *Author* of it, without any Proof, hath reduced Him to the Station of a *private*, *Country Gentleman*; and alas! Sir *John Gonſon* is now a greater Man than He. *One publick Truſt* only is left Him, and That is a Seat in the *Houſe of Commons*, which happened to be given Him by the Suffrages of the *People*, and which nobody hath a Power to take away but the *Repreſentatives of the People aſſembled in Parliament*. Yet God knows how long He may enjoy even That; for, the *Letter-writer* gives Him broad Hints of what is intended, and I would not have Him look upon them with too much Contempt, ſince they tally ſo exactly with the *open Menaces*, which have been publickly ſpread abroad, and with ſome other Practices of a *private Nature*.

But to be ſerious. —— Though *ſome Perſons* may have been ſo baſe as to conceive, and ſo weak as to talk of ſuch a Deſign, I hope Mr. *P.* hath good Senſe and Spirit enough to laugh at Them and to ſet Them at Defyance. His known Zeal for the Laws of his Country, which He hath in no Inſtance offended, and his unfeign'd Attachment to the Intereſt of the preſent Royal Family, whom He will always ſerve, but never flatter or deceive, will be a ſufficient Security to Him in the Day of Trial; when I doubt not *theſe raſh Men* will find Themſelves miſtaken, if They truſt to their Power, and flatter Themſelves with Hopes that *Britiſh Gentlemen* will be influenced, in any Aſſembly,

bly, to commit Acts of Violence and Severity, which no *Jury in England* can lawfully do.

To conclude——The Reader will obſerve that it is not only a troubleſome, but almoſt a ſcandalous Task, to follow *ſuch Writers*; for what Reputation is to be got by proving ſuch a Fellow as *Walſingham* guilty of a thouſand Falſhoods? There is Indignity in the very Conqueſt. It is juſt like encountering a *Chimney Sweeper's little Boy* in the Street, who calls Names and keeps you at a Diſtance, becauſe you are afraid of ſmutting your Cloaths. I ſhall therefore take no farther Notice of *theſe Scribblers*, and hope the reſt of Mr. *P*'s *Friends* will let the Controverſy drop here, unleſs the *Patron*'s own Hand ſhould diſtinguiſh itſelf again, and add ſome little Credit to the Diſpute.

C. D. *I am*, S *I R*, *&c.*

N° 271. SATURDAY, *Sept.* 11, 1731.

THE more I read and reflect upon the Writings of my *Adverſaries*, the more I admire their Sagacity, Moderation and Virtue. I am ſometimes almoſt tempted to become their Convert, and I believe nothing could diſſuade me from it but ſome unfaſhionable Qualms of Conſcience, and the Dread of thoſe uncourteous Appellations, which a ſuffering People are apt to fix on the Advocates of *Thoſe*, whom They eſteem their *Oppreſſors*.

The *Writers for Men in Power* have ſeveral very great Advantages over Thoſe, who engage on the *other Side*. They are at full Liberty to ſay what They pleaſe with Impunity, and without Reſtraint. They may aſſert notorious Falſhoods, glaring Abſurdities and palpable Contradictions. They are under no Neceſſity of ſticking to the *main Point in Diſpute*; but if They find themſelves preſs'd too hard in an Argument, may fly off to *perſonal Altercations*, and endeavour to divert the Attention of the Publick, by entering into *ſecret Hiſtory* and *private Correſpondence*. Nay, They may advance Doctrines inconſiſtent with the *fundamental Laws and Conſtitution of their Country*, provided they have any immediate Tendency to the Juſtification of their *Patrons*.

About three Years ago, the Succeſſion of * *Don Carlos* to the *Italian* Dominions was repreſented as an Affair of the moſt dangerous Conſequence to all *Europe*, and particularly of *Great Britain*; but in the Space of about ſeven or eight Months, the *worthy Author* found out his Miſtake and told us, without any Heſitation, that this very Succeſſion was the *Maſter-ſtring of Politicks, which his* Patron *had at laſt touch'd with Succeſs.*

When the *Enquiry* was written, the *Guaranty of the Emperor's hereditary Dominions* was thought an unreaſonable Demand on the King of *Great Britain*, and that *learned Author* juſtifies the Refuſal of it in the folowing Manner. —— " Certainly no one can think but that it was wiſely and happily judged to refuſe a *Guaranty*, which might have been attended with ſo fatal Conſequences; for as the *Emperor's* Children are now *Females* only, and the Influence of that Succeſſion upon *Europe* muſt depend on the *Marriages* of theſe Females; and as no one then knew to what *Princes* They might be hereafter marry'd; it was wiſe in his Majeſty not to oblige Himſelf to ſupport a *Succeſſion*, which might poſſibly, by ſome *future Marriages*, become formidable to the reſt of *Europe*, and fatal in the End to *Britain* itſelf." —— He goes rther, and adds; " That the *Emperor's* Guaranty of the Succeſſion here, in his Majeſty's Family, (upon

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* *See the* Craftſman, *Vol.* 5. *p.* 78, 93.

" our obtaining the Poſſeſſion of *Sicily* for Him) cannot
" be judged a good Argument for his Majeſty to become
" a Guarantee of a *Succeſſion*, of the Conſequences of
" which to his *own Kingdoms*, and the reſt of *Europe*,
" no Judgment could be made, 'till the Marriages of
" the two *Arch-Dutcheſſes* ſhould come to be ſettled
" and known."——This was the courtly Way of reaſoning, in the Year 1727; and if it is grown obſolete now, it muſt be imputed to *thoſe Viciſſitudes* and to *that Fluctuation of Affairs*, which have been ſo much complain'd of ſince that Time."——But let us come to ſome more recent Inſtances of the Wiſdom and Modeſty of the *miniſterial Writers*.

We have lately ſeen an *Addreſs to the People of* Great Britain, *occaſion'd by the Republication of the Craftſman*; in which all the Delays, Difficulties and Miſcarriages of our *foreign Affairs*, for ſeveral Years paſt, are laid at our Door; and the *Liberty of the Preſs* is proved to be *deſtructive of the State*. What ſhall I ſay to this Charge, or how defend myſelf againſt the Storm, which is threaten'd? For if the *Preſs* is really ſuch a *terrible Engine*, and hath indeed knock'd all our *late wiſe Negotiations* on the Head, the *Parliament*, no Doubt, will take *this Grievance* into Conſideration, as They have been frequently call'd upon to do, and remove ſuch a *ſtumbling Block* out of the Way of our *Miniſter*.——Who would not buy a *Peace* with the Deſtruction of ſo miſchievous an Evil as the *Liberty of the Preſs*; eſpecially if it can be bought at no other Price?

That pretty Dealer in Words, Mr. *Walſingham*, hath likewiſe given us ſeveral pregnant Inſtances of his *fine Judgment* and great Regard for *political Virtue* in his late Writings; particularly, where He threatens us with a *Treatiſe upon* PUBLICK CORRUPTION, *by an* able Hand, *when the Seaſon of the Year ſhall make the Enquiry proper*. Since He hath been ſo good as to let us know before-hand from *what Quarter* this learned Piece is to come, I ſuppoſe it is deſign'd as a Comment on the Text of *Clodius* and *Cicero*, or the ſame worthy Doctrine, lately maintain'd in the *Cambridge Letter*; and as We are told that it is to ſee the Light, *when the Seaſon of the Year ſhall make the Enquiry proper*, I am ſomewhat apprehenſive that it is calculated to pave the Way for the *third Rejection of the* PENSION BILL. For my Part, I begin already to dread the Approach of *that Seaſon*, and cannot help being in ſome Pain for the *Patrons of a Bill*, which is deſtin'd to fall a Sacrifice to this *able Hand*. However, let Him appear; and if He ſhould prove *Corruption a publick Benefit*, (like ſome other *private Vices*,) We muſt ſubmit, and take ſo much Shame to ourſelves as to recant all our *ſeditious Harangues againſt it*.

The judicious Mr. *Osborne* ſeems to have the ſame Scheme in View, by his Diſſertation of the 28th of *Auguſt* laſt; in which He maintains this excellent *Theſis, that Bribery is no Corruption*; ſo that there appears to be a concerted Deſign amongſt *theſe Writers* to demoliſh that *untowardly Bill*, and eſtabliſh the moral, as well as political Expediency of *Penſions*, on a laſting Foundation.—It muſt however be acknowledged that *theſe Gentlemen* have acted a very candid Part, in giving us ſo much Warning and putting us on our Defence.

I am ſtill farther delighted with Mr. *Walſingham*'s Modeſty and good Senſe, when He deſires us to *enter into a Specification of the Particulars, and to ſhew the Iniquity of the* BANK CONTRACT; which He ſays He hath *hardly heard accuſed*.—Strange! that ſo *conſummate a Politician* ſhould never have heard any Complaints of a *Tranſaction*, which was the Ruin of ſo many Thouſands! — I am ſure it hath often been mention'd in the *late Diſputes*; particularly in a Pamphlet, (intitled *Some Conſiderations on the national Debts*, &c.) which never yet received any Anſwer. I will refreſh his Memory with a Paragraph or two out of it; which will be as fair and proper, at leaſt, as his late Quotations from *Clodius* and *Cicero*, of infamous Memory;

or Mr. *W——le*'s Defence of Himſelf againſt the Judgment of the *Houſe of Commons.*

——— "To whom can the dangerous and miſchie- " vous Part of the *South Sea Scheme* be ſo juſtly impu- " ted as to THOSE, who thus eſtabliſh'd a Trade " with the *Companies,* (meaning by the *general Fund)* " which is known to be admirably well calculated for " *other Purpoſes,* beſides the *publick Good?* For when " this Method had been once introduced, it became " almoſt impracticable to leave it off; though all the " real Good, reſulting from it to the Publick, might " have been obtain'd by our *Credit* at that Time, and " the proper Aſſiſtance of the *Companies,* in that plain " Way practiſed in *Holland,* by changing the *Orders,* " or *Aſſignments* of the State Creditors into *others,* car- " rying a *lower Intereſt.*

" However, even when this Method was reſolved " on, the ruinous Conſequences of the *South Sea Scheme* " might have been avoided, had not a *certain Gentle-* " *man,* by his Intimacy and Friendſhip with the Di- " rectors of the BANK, engaged *Them* and the *S. S.* " *Company* in that great Contention for the extraordi- " nary and, I may truly ſay, imaginary Profits of this " Bargain, even tho' it had been purchaſed for *five* " *Millions,* which was actually offer'd by the *Bank.* " What induced *this Gentleman* to encourage ſuch a " Contention, I ſhall leave the World to judge by his " Conduct afterwards; but it ſhews very plainly, that " though He thought fit to oppoſe the *S. S. Company* " upon this Occaſion, He had no Diſlike to, or mean " Opinion of the *Project itſelf.*

" It cannot be deny'd, that it was this Competi- " tion between thoſe *two great Companies,* which gave " ſo prodigious a Riſe to the *S. S. Stock,* and laid the " Foundation of all the Calamities, that follow'd upon " the Execution of *this Scheme*; which was afterwards " farther extended to the Ruin of many innocent Fa- " milies, that would have otherwiſe eſcaped, had it "not been for the perfidious and moſt infamous Proceedings upon the BANK CONTRACT——And it muſt be confeſs'd that *this Affair*, conſider'd in all its Circumſtances, was ſuch a cool, deliberate Scene of Iniquity, as was never before practiſed in any civilized Nation, and will perpetuate to all Poſterity the Memories of the *Contrivers* and *Actors* of it, without the Help of any *other Monument*.

"Nothing therefore can be more aſtoniſhing than to hear the *Neceſſity of preſerving the publick Credit* pleaded in Excuſe for ſuch an Action, (as if any *Neceſſity* could juſtify it!) when it is likewiſe plainly to be proved that this *notorious Violation of Faith* contributed more to the ſinking of *publick Credit* than all the wrong Steps, which had been taken before, in the Execution of *this Scheme*; for it increaſed the Loſſes of the Unfortunate, and added to their Numbers, by giving *Thoſe*, who were in this *valuable* but *iniquitous Secret*, an Opportunity to ſell out at 400 *l. per Cent.*and buy in again under 90 l. ſo that it was indeed the moſt *compleat Piece of Management* in this ever-memorable Year.

It hath likewiſe been frequently obſerved, in *other* *Vritings*, that *this Contract* was drawn up by the *Pa- ron's own Hands*, and afterwards cancell'd by his *own* *ile Arts*, to the Ruin of Thouſands, when the wicked urpoſes of it were ſerved.——If Mr. *Walſingham* de- res any *farther Specification of Particulars*, He may xpect it, *when the Seaſon of the Year ſhall make the En- uiry proper.*

But ſince the *Conſiderations on the publick Debts* are ow before me, I hope that *ingenious Advocate* will ndulge me in another Quotation, which deſerves the xercitation of his *acute Pen*.

"It is ſcarce poſſible, *ſays the Author*, to read the Articles of 1,603,987 l. 8 s. and three Half-pence, and 548,939 l. 12 s. 6 d. three Farthings in ARMY-DEBENTURES paid off, without being apt to go into the common Opinion that *one Million*

" *and an half*, at leaſt, of this Sum may be juſtl
" look'd upon as a Debt, contracted *ſince* 1716; fc
" I believe I may appeal to the * *Gentlemen*, t
" whom the Conſideration of *this Debt* was referr'c
" ſoon after his late Majeſty's Acceſſion, whether upo
" the View, which They then had of it, The
" thought it could ever exceed 500,000 l. and W
" know very well what Cenſures a † *Gentleman* ſu
" fer'd afterwards, for eſtimating it even ſo high
" at 400,000 l. only.

" But, perhaps, when We conſider the extraord
" nary Management of *this Affair*, it will not be ſu
" prizing to find the Debt ſwell'd to ſo *exorbitant*
" *Sum*. At firſt, the *Commiſſioners* were empower'
" to ſtate and allow only the Regimental Account
" for *Pay*, *Cloathing*, *&c.* and They were reſtrain'd
" by the *Act* 3° of the late King, from allowing an
" Demands but what were purſuant to *Eſtabliſhment*
" or authorized by *Warrants* ſign'd by his Majeſt
" and counterſign'd by the *Treaſury*; but afterwards
" by an *Act* 4° of the King, theſe remarkable Word
" were added to the former Oath, *viz. and to exa*
" *mine and ſtate the Demands of ſeveral* foreign Prin
" ces *and* States *for Subſidies, during the late War*
" This furniſh'd an Occaſion to ſeveral, extravagan
" Impoſitions, and was, in a Manner, publiſhing a *S*
" *quis* to all the Princes and States of *Europe* to form
" Demands upon us; but how We came to be ſ
" particularly indulgent to *theſe Debts*, that *Intereſ*
" was allow'd them from the 24th of *June* 1717
" (though many of them were not ſettled and deter-
" mined till *four, or five Years afterwards*) I muſ
" leave to *others* to explain.

" *Theſe Debentures* were from 30 l. to 35 l. *per*
" *Cent. Diſcount*, before any *Fund* was ſettled for the
" Pay-

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* *The Right Honourable Sir* R. W. *and* W. P. *Eſq*;

† Archibald Hutchinſon, *Eſq*;

" Payment of the *Intereſt*; but a little before That
" was done, they were pick'd up, at that *low Price*,
" by ſome *few Perſons*; which, it is ſaid, have laid
" the Foundation of *Eſtates*, that may vye with the
" moſt *antient Families* in this Kingdom; and, by a
" particular good Fortune, they have been choſen out
" of all the Debts of the Publick to be *firſt paid off*,
" though they had originally no *Fund* for the Pay-
" ment of *Principal*, or *Intereſt*.

I ſhall conclude with a Paſſage from one of *Cato*'s *Letters*, which gives us a very odd Account of *another Country*, where it ſeems *ſuch Artifices* as Theſe were frequently practiced.——Don't ſay, Mr. *Walſingham*, that I make any Application.

" I have heard of a *Court* ſomewhere abroad, which
" having ask'd, upon a particular Occaſion, *four hun-*
" *dred thouſand Pounds* of the States, found Ways and
" Means of ſtretching that Sum to *two Millions*. It
" was obſerved of the *ſame Court*, that it had the
" Art of raiſing Molehills into Mountains, and ſink-
" ing Mountains into Molehills; of *disbanding* Armies
" without *breaking* them; of *increaſing* Debts by the
" Means of *paying* them; of being engaged in an *ex-*
" *penſive War* during a *profound Peace*; of gaining for
" the Country, at a vaſt Charge, *Advantages*, which
" the Country never reap'd nor ſaw; of employing
" Money obviouſly againſt the *Intereſt* of that Na-
" tion, and yet getting the Nation to *pay* it; of pur-
" chaſing *other Countries* at the Expence of *their own*,
" and *againſt its Intereſt*; of procuring from the Coun-
" try at one Time a *great Sum*, without telling why
" it was wanted, but promiſing to tell, and yet never
" telling; and in fine, after many other the like Facts,
" of obtaining by an *Arret of Security*, Remiſſion of
" all their *paſt Faults*, without *owning any*, and yet
" going on to *commit more*; for, as *Tully* well obſerves,
" *qui ſemel* verecundiæ *Fines tranſierit, Eum bene* &
" *naviter oportet eſſe* IMPUDENTEM. *D.*

N° 272. SATURDAY *September* 18, 1731.

THOUGH I have treated the *common Herd of Scribblers* with that Contempt, which They deſerve, I have always paid a particular Regard to the leaſt Appearance of Merit, or Ability in my *Adverſaries*, even when They have been the moſt ſtrenuouſly exerted againſt me. Notwithſtanding the ſevere Treatment, which I have met with from the Author of the *Flying Poſt*, it muſt be acknowledged that I have never attempted to depreciate his *polemical Abilities*, but have always done Him the Juſtice to diſtinguiſh between his Writings and the wretched Imitations of *Walſingham* and *Osborne*.

I deſign to give my Readers another Inſtance of the ſame Candour and Impartiality in this Paper.

I preſume the following *Advertiſement* cannot have eſcaped any Body's Notice, *viz.*

This Day is publiſh'd the ſecond Edition of

The HYP-DOCTOR *N° 39, with a fine Family Picture in the Van thereof, a Rod for a Fool's Back; or forty Stripes ſave one; That is, This is the nine and thirtieth* Hyp-Doctor; *in which are ſerv'd up in Sippets the following Dainties, fit for the Palate of a Prig, pragmatical Patrioteer;* 1. *An Anſwer to my Couſin* D'Anvers's *laſt Saturday's Survey of Mr.* P's *Eſtate.* 2. *A Reply to his* Ultimatum; *his Challenge of all Challenges, which He tells us not one Advocate of the Miniſtry hath dared (bleſs us all!) to attempt; viz. a Vindication of the right Hon. Sir* R. W. *in Regard to* *the* BANK CONTRACT, *and the* SOUTH-SEA SCREEN, *as the Saying is; in a clear and conciſe cutting up of thoſe two prodigious Problems.* —— *Noneſuch is the winning Nag.*

We were likewiſe given to underſtand in the *Daily Journal* of *Sept.* 9, *that the laſt* Hyp-Doctor *was thought to have a Mixture of Wit, Humour, Reaſoning and Fact, on the* Screen *and* Bank Contract, *that gives it a juſt Preference to any political Paper extant.*

This Recommendation ſpurr'd up my Curioſity, and made me impatient to read a Piece, which bore ſo diſtinguiſh'd a Character in the News-papers. I ſent my old Man *Truſty* immediately for it; and having peruſed it with due Attention, I cannot forbear acknowledging that it more than anſwer'd my Expectation and, unlike moſt of our modern Productions, exceeded even the *Title* itſelf. There is ſomething venerably ludicrous in the Style of it; an happy Mixture of Solemnity and Burleſque, which is above all Imitation, and can flow only from the Pen of Sir *Iſaac Radcliffe*, of *Elbow-Lane*, or the renown'd ORATOR of *Clare-Market*. It is, indeed, a moſt extraordinary Performance, ſo full of ſheer Wit, true Humour and maſculine Argument, that I am ſurprized to find the *Author* complain of Neglect, and that *his Papers are not yet propagated through the Kingdom, at the publick Expence, by the Authority of that* GREAT PERSON, *in whoſe Cauſe He appears.* But let Him not deſpair. *Walſingham* and *Osborne* were obliged to go through a Courſe of Probation, before They were admitted *licenſed Advocates*; and I make no Doubt that I ſhall ſoon have the Pleaſure to congratulate Him upon his Promotion to the ſame Honour. I ſpeak This from my high Opinion of the *great Man*'s Diſcernment, and from ſomething peculiar in the Compoſition of *this Writer*, which ſeems to recommend Him to Notice and Protection. He hath an happy Talent of writing about *nothing*, and amuſing his Readers, as the *great Man* does his Auditors, wit an odd Kind of Words and Phraſes, which ſoun prettily enough to the Ear, but have no determinat Meaning. He hath beſides a tolerable good Bronz upon his Face, and will not be eaſily put out of Countenance, when He is catch'd in a Falſhood, or a Blunder by the captious Writers on the *other Side*. There i likewiſe another Circumſtance in his Favour, which muſt not omit; I mean his being a *new Convert*, o Proſelite from the *male-content Party*; for *Converts*, W all know, have been lately very much careſs'd and encouraged. Though He ſtill continues a little heretical *as the Saying is*, in his *Church Tenets*, He is grown perfectly orthodox in *State Matters*, and promiſes to mak no inconſiderable Figure amongſt our *other ſpiritual Advocates for temporal Miſcarriages*, who have the Miſfortune to lye under the ſame Imputation as to their *religious Opinions*. Methinks, I ſee Him already introduce amongſt them, and entering into a Concert with them for the Defence of their *common Patron*.

There is but one Thing, which can poſſibly diſcourage this *worthy Gentleman* in the Proſecution of his Undertaking; and That is the Rebuff, which He is ſaid to have received from the *great Man*, when He formerly offer'd Him the Service of his Pen. But Thing are ſo much alter'd ſince, that no certain Concluſion can be drawn from this Circumſtance, if it is really true, nor ought it to give Him the leaſt Uneaſineſs. It is well known that the *great Man* affected to deſpiſe all his *Adverſaries* at that Time, as a *little, contemptible Faction*, and threaten'd to march out againſt Them with no other Armour than the *Breaſtplate of Innocence and Righteouſneſs*; but They continued their Attacks ſo vigorouſly, and preſs'd Him ſo home in every Part, that He found Himſelf unable to withſtand the Shock any longer, without calling in the Aſſiſtance of ſome *auxiliary Troops*, whom He hath been obliged to keep in his Pay ever ſince, and even to augment their

Numbers. The *Hyp-Doctor* may therefore depend upon it, that He will not ſuffer ſo extraordinary a Genius to languiſh much longer in Obſcurity, for want of a little Encouragement, and proper Orders to the *Poſt Office*, whilſt ſuch inferior Drudges as *Walſingham* and *Osborne* are basking in the full Sunſhine of his Favour.

If any Perſons can entertain the leaſt Doubt of his ſuperior Merit and Abilities for a *miniſterial Advocate*, let Them only take a Survey of his laſt Paper, where They will find an ample Defence of the *great Man* upon two Topicks, which none of his *Brother Writers* have ever had the Courage to attempt, though often defy'd to do it. Theſe Topicks are the BANK CONTRACT, and the SOUTH SEA SCREEN.

As to the *firſt*, He tells us very plainly that Mr. *W.* was not then a *Miniſter*, and therefore had no Authority to *compel* the *Bank* to buy *South Sea Stock* at 400 *l. per Cent.* Neither could He *perſuade* Them to it, nor *impoſe* upon Them in it — Why ? — Becauſe a *money'd Company muſt know the proportional Value of the Stock as well as He, and therefore could not be miſled.* — Is not This a full Confutation of *Thoſe*, who have invidiouſly ſuggeſted that though Mr. *W.* was not actually a *Miniſter* at that Time, He had made his Terms with the *Miniſtry*; that with this View He had a principal Hand in drawing up the *Bank Contract*, and afterwards in getting it *annull'd*, as He had promiſed to do, if it did not turn to their Advantage ? —— *Thus clearly and conciſely hath He cut up one of theſe prodigious Problems.*

As to the *Screen*, He is ſtill more *clear* and *conciſe* ; for He tells us that it was abſolutely neceſſary at that Time—for what?—*Why to keep out the* PRETENDER.

With another Daſh of his Pen He makes the *Screener* a greater Man than *all the Miniſtry*, at that Time, put together ; *viz.* the Earl of *Sunderland*, the Earl of *Godolphin*, Earl *Stanhope* and the Duke of *Marlborough* ; for *He did more than all of Them at* that Criſis ; *and* He, *that did more than the* Miniſtry, *was greater than* *the* Miniſtry, *and deſerved to ſucceed*—Thus you ſee his Title to *Power* is fully made out.

I muſt confeſs, I do not perfectly comprehend th Reaſon of mentioning the Duke of *Marlborough* and th Earl of *Godolphin* amongſt the *Miniſters*, at that Time for if my Memory does not fail me very much, th Earl of *Godolphin* had been dead many Years before and the Duke of *Marlborough*, who was very infirm had no Share in the Adminiſtration; but his *oratoria Reverence* had ſome good Reaſon, no doubt, for thi Piece of *Anachroniſm*.

There is one particular Circumſtance, in which He hath eminently diſtinguiſh'd Himſelf from his *Brother Advocates*, and appears ſingularly conſiſtent with Himſelf. He judged very rightly that He could not defend the Conduct of his *Patron*, in the Year 1720, without giving up *Cato*, who *chriſten'd the* SCREEN, as He obſerves very juſtly; whereas thoſe eternal Blunderers, *Osborne* and *Walſingham*, are continually extolling the Writings of *that Gentleman*, in Oppoſition to *Me*; and *Walſingham*, in particular, hath the ſilly Impudence to maintain that *Cato's Letters* can be of no Uſe to my Deſign. As a Proof of This He hath given us a large Extract from one of the *Diſcourſes*, prefix'd to the firſt Volume of the late Tranſlation of *Tacitus*, publiſh'd ſeveral Years after, and dedicated to Sir *R. W.* which is juſt as much to the Purpoſe, as if I ſhould aſſert that Dr. *Sherlock* (I mean the Father of our *preſent excellent Prelate)* never made any Objections to the Title of King *William*, becauſe He afterwards wrote a Book in Defence of it.

I believe the *ſurviving Author of* Cato'*s Letters* will not think Himſelf in the leaſt obliged to Mr. *Walſingham* for giving occaſion to *this Diſpute*, in order to divert *another*; nor for the fooliſh, inconſiſtent Flattery, with which He is continually bedaubing Him; I ſay *fooliſh* and *inconſiſtent*; becauſe it is evident from *thoſe Papers* themſelves, that the very *ſame*

Views and *Deſigns* were imputed to *Cato*, which have been ſince imputed to Mr. *D'Anvers*; ſuch as *Faction*, *Sedition* and *Jacobitiſm*. But my preſent Intention is only to ſhew that one of the principal Deſigns of *thoſe Letters* was to expoſe the Conduct of *his Patron*, at that Time. For this Purpoſe I have collected two or three Paſſages out of them, and will leave the World to determine whether any Credit ought to be given, for the future, to ſuch an *abandon'd*, *little Wretch*, who hath more than once had the Confidence to aſſert, *that* Cato'*s Reaſonings againſt* weak *and* wicked Miniſters, *were not to be employ'd againſt the* preſent Miniſter, *nor in any Manner* related *to Him*.—Let us therefore try the Experiment.

If Mr. *Walſingham* will pleaſe to turn to Page 162 of the *firſt Volume*, He will find a whole Paper, written with great Spirit, concerning the famous Mr. *Knight*; and when the *Author* hath given his Reaſons why the *noble Miniſter*, at that Time, would exert his Endeavours to bring over *that Fugitive*, He goes on as follows.

" It is alſo the Intereſt of *another great Perſon*, equal " to the *firſt* in Power and Innocence, and who, with- " out Doubt, hath taken *common Meaſures* with Him " for the publick Good, and will equally ſhare in the " grateful Applauſe of good Men, and the Reproach " of bad; for no Degrees of Virtue will put any one " beyond the Reach of Envy and Calumny; and " therefore We cannot be ſure that *his ſtrenuous and* " *barefaced Protection of innocent and oppreſs'd Virtue* " will not be miſinterpreted by *popular Clamour*, " which miſapplies often eſtabliſh'd and well known " Truths; as that *no one*, who hath not Part of the " *Gain*, will adopt Part of the *Infamy*; that it is the " Property of *Innocence* to abhor *Guilt in others*, as well " as *not to practiſe the ſame itſelf*, and to *puniſh* as well " as to *hate* it; that *no Man*, who is not a *Thief*, will " be an *Advocate for a Thief*; that *Rogues* are beſt pro-

“ tected by their *Fellows*; and that the ſtrongeſt Mo-
“ tive any Man can have for *ſaving another from the*
“ *Gallows*, is the Fear of the *ſame Puniſhment for*
“ *the ſame Crimes*; and though theſe and a thouſand
“ other ſuch unwarrantable Imputations ought not, and
“ have not made the leaſt Impreſſion upon *One*, con-
“ ſcious of his *own Virtue*; yet it is every Man's Duty,
“ as well as Intereſt, to remove the moſt diſtant
“ Cauſes of *Suſpicion* from Himſelf, when He can do it
“ conſiſtent with his publick Duty; and therefore We
“ are equally ſure of *this great Man's* Endeavours too
“ for bringing over Mr. *Knight*.

In Page 222 of the ſame Volume, *this Gentleman* is farther deſcribed in the following, ſarcaſtical Manner.

“ For *certain Gentlemen* to find Fault with *Cato*'s
“ *Letters*, is to avow their own Shame. Why was
“ there Occaſion given for *thoſe Letters?*—Some other
“ Queſtions might be ask'd too, which would diſcover
“ freſh Blackneſs in *theſe Betrayers*, were They not
“ already all over black. *Who* is it, that might have
“ check'd, and yet did not check, rampant Rogues laſt
“ Summer? And from what Motives proceeded ſuch
“ Omiſſion? WHO is it, that openly SCREENS open
“ Guilt? WHO is it, that *conceals* the Evidence of
“ Guilt? *Who* is it, that *brow beats* the Purſuers of
“ Guilt? WHO is it, that throws Obſtacles in the
“ *Parliament*'s Way? WHO is it, that *lengthens out*
“ *the Proceſs?* WHO is it, that ſtrives to *defeat the*
“ *Enquiry?* WHO is it, that makes *Malecontents*, and
“ then reproaches Them for being ſo?

In the next Paper, it is ſaid that HE, *who* SCREENS *from the Gallows* THOSE, *that deſerve it, adopts their Title to the* Halter, *and ought to* ſwing *in their Room.*

I could quote Paſſages to the ſame Purpoſe without End; but Theſe are ſufficient at preſent to employ Mr. *Walſingham*; and I hope He will not any longer delay that *whole Paper*, which He hath promiſed the Publick, *to ſhew how little* Cato's *Letters ſerve my*

Purpoſe, or agree with my Practice. In order to ſhew This, He muſt prove that *his Patron* is not the Perſon mark'd out in the foregoing Paſſages; and if He can prove This, to the Satisfaction of any Man, of common Senſe, I will readily own that I have made a very impertinent Uſe of *Cato*'s *Letters*; but if He does not prove it, He muſt appear a very *ſilly, little Fellow* to ſtart ſuch a Diſpute; and, if I was not reſtrain'd by ſome Remains of Compaſſion towards Him, I would adviſe his *Patron* to take his *Penſion* away and beſtow it upon the *Hyp-Doctor*, who acts much more conſiſtently with Himſelf, by giving up *Cato* and *Me* in the ſame Breath.

There is *another Letter*, written by the *immortal Cato*, for which I muſt beſpeak the Attention of the Publick, becauſe it contains a full and maſterly Anſwer to all the low Sophiſtry and paltry Diſtinctions of the *miniſterial Scribblers*, concerning *dependent Parliaments, Corruption* and *ſtanding Armies*. The Reader therefore may expect it in a ſhort Time, as a proper Preſervative againſt the formidable Treatiſe upon CORRUPTION, with which We have been threaten'd from the *other Side, when the Seaſon of the Year ſhall make the Enquiry proper.* D.

Nº 273. SATURDAY, *Sept.* 25, 1731.

HAVING read two or three tedious *miniſterial Papers* one Day laſt Week, I was ſeized on a ſudden with a prodigious Heavineſs on my Spirits, which I endeavour'd to divert as much as poſſible; but finding it increaſe upon me, I reſign'd my ſelf to Reſt, and was entertain'd with the following Dream; which having ſomething in it beyond the common Rhapſodies of Fancy, when our Reaſon lies dormant, I ſhall preſent to the Reader.

I was convey'd, methought, into a ſumptuous Room, where I ſaw a *goodly, fat Man*, with a Badge upon his Breaſt, ſitting in a Chair of State at the upper End of a large Table, ſurrounded with a motley Tribe of obſequious Dependents. On his right and left Hands ſate *two venerable Perſons*, in Pontifical Robes. *One* of them appear'd to be a tall, black Man. The *Other* was plump and fair and of a round Viſage. On the left of *theſe Sages* were ſeated *two other Perſons* in *ſacred Habits*, of an inferior Order; *One* of whom I ſoon diſcover'd to be a *real Dean*, and the *Other* a *pretended Orator*. The reſt of the Table was fill'd up with *rural Pædagogues, ſuperannuated Dabblers in Hiſtory, little Underſtrappers of the Law, Knights of the Poſt*, and *Waltham Blacks*.

At the Bottom of the Table ſate the judicious Mr. *John Peele*, with a Pen and Ink before Him, in order to take Minutes, for the Uſe and Inſtruction of his *Pupils*.

I had not been long in the Room before the *Man, with the Badge on his Breaſt*, roſe out of his Chair with an Air of Authority, and having wiped his Mouth three Times, with a peculiar Air, He open'd it in the following Manner.

" *Gentlemen*,

" The Reaſon of my ſummoning you together, at " this Time, is to return you Thanks for your paſt " Services, and to give you ſome Inſtructions for your " future Conduct.

" We have been for ſeveral Years paſt engaged " in a troubleſome War with a *little deſpicable Faction of Patriots*, who have had the Impudence to " aſſert that *Liberty* is the Birthright of *Engliſhmen*, " and that *Miniſters* are accountable to the *People*

" for all their Actions. You are ſenſible, *Gentlemen*, " with what Contempt I treated *theſe Incendiaries* " at firſt, in all my Words and Actions. I laugh'd " at their general Declamations againſt *Corruption*, and " defy'd them to enter into Particulars. I was in " Hopes, indeed, that They would not have dared to " accept ſuch a Challenge from a Perſon in my Sta- " tion; but their Inſolence hath exceeded all reaſona- " ble Expectation; and the giddy Multitude have been " ſo far deluded with their plauſible Invectives, that " I was ſoon obliged to make Uſe of the *ſæcular* " *Arm*, and to liſt a ſturdy Band of *Writers* in my " Service, to juſtify the Uſe of it. Some of Them, " it is true, are a little undiſciplined and make but an " indifferent Figure againſt the regular Troops on the " *other Side*; yet they ſerve well enough for *Scouts*, " to diſcover the Strength and Diſpoſition of the " Enemy; or to be thrown away, upon Occaſion, for " the good of the Cauſe. But I look upon you, *Gentlemen*, as my Body Guard, the *Triarii* of my Army, compoſed of choice, pick'd Men, on whom I muſt depend in Caſe of Extremity. You have already done me the moſt eminent Service, and laid me under ſuch Obligations as I ſhall always acknowledge; but I hope you will not take it amiſs, if I give you a few Precautions how to behave in this nice and critical Conjuncture, which *our Adverſaries*, no doubt, will endeavour to improve to their Advantage.

" You cannot be inſenſible that the greateſt Diſſervice, which *theſe Incendiaries* have done us, hath proceeded from the Examination of *particular Points*. They love to ramble into the wide Field of our *late Negotiations*, and to inflame their Readers with the popular Topicks of *blundering Meaſures*; to which they never fail to aſcribe the Increaſe of our *Debts* and *Taxes*. Let me conjure you therefore, as you regard my Honour and your own Intereſt, to defeat

“ Them in their Expectation of reaping the ſame Ad-“ vantages for the future. Give them no Oportunity “ of examining the Wiſdom, or publick Utility of our “ *late Treaties*, and our *late Meaſures*, by any unſea-“ ſonable Panegyricks upon them; which, however “ juſt, can only tend to produce their ill-natured Com-“ ments, by way of Anſwer.

“ They have had the Confidence to tell you Them-“ ſelves, *that they have never enter'd into any Con-“ troverſy with you, but when you have given Them an “ Opportunity, by ſilly Conceſſions, of examining ſome “ Points of great Conſequence with more Freedom than “ They could otherwiſe have done.* Take for once there-“ fore the Advice of your Enemies, and never furniſh “ Them with another Occaſion of diſcuſſing any ten-“ der Point, under the Pretence of anſwering You, “ which They dare not explain Themſelves. Let all “ your Apologies run in general Terms, and imitate “ my Example, whoſe Conduct you endeavour to vin-“ dicate. Aſſert boldly; defy ſturdily; and throw “ your Dirt plentifully at Thoſe, who preſume to “ interrupt you with Reaſon and Argument. Ne-“ ver look either before you, or behind you; nor “ make any Scruple of ſerving a preſent Turn, by “ reflecting on what you ſaid yeſterday, or ſhall be “ obliged to ſay To-morrow; but if you ſhould “ happen to be detected in a Falſhood, after it hath “ had i's Effect, laugh heartily at Thoſe, who de-“ tect you, and aſſert another. When you obſerve “ the *Enemy* in a Poſture of Offence, and ſee Them “ making Preparations to enter upon Action, wheel “ about immediately and divert the Attack, if poſſi-“ ble, by *perſonal Altercations*. Ply all your Engines “ of Calumny to put Them on the *defenſive Part*, and “ give Them no Time to ſatisfy the Impatience of “ the People, concerning the *preſent State of publick “ Affairs*.

" Perhaps, *Gentlemen*, you will think it needleſs " in me to give you any Cautions of this Nature, af- " ter your late notable Productions. I muſt confeſs, " indeed, that you have behaved your ſelves very well " in my Service, and made wonderful Improvements " in the Art of *political Defamation*; but give me " Leave to ſay, (and I cannot ſpeak it without " Warmth) that you have deviated from this good " Rule in ſome Points, which I leaſt expected from " you.—What could induce you, Mr. *Walſingham*, " to enter into a formal Defence of the *Forage Con-* " *tract?* You might have ſeen, with half an Eye, " that it was a Bait thrown out for you on Purpoſe " by my Enemies; and I was ſorry to find you ſo " weak as to bite at it. You may now perceive the " Effect of it, when it is too late. Your injudicious " Revival of *my Defence* (for you have had the Im- " prudence to own it *mine*) hath rouzed up a new " Writer againſt us, who calls Himſelf the *Inquiſitor*, " and threatens to moleſt us as often as Occaſion re- " quires. *This Paper* is written with ſuch a malig- " nant Spirit, that I expect to ſee it ſpread, through " the Kingdom, like other ſeditious Writings againſt " me, and to have *that curſed Affair* made once more " the Topick of Converſation in Town and Country. " Not content with This, you have likewiſe had the " Folly to challenge the *Craftſman* to a Diſputation " on the *Bank Contract*, (a Point, which you know " I have always carefully declined) and thereby fur- " niſh'd Him with *another popular Subject*. Nay, you " have even inſiſted on *Cato*'s *Letters* in my Juſtifi- " cation; though you cannot be ſo ignorant as not " to know that they were principally levell'd againſt " *Me*, and firſt of all branded me with the infamous " Name of the SCREEN. Theſe are Things too groſs " to paſs; and as much as I like a competent Degree " of modeſt Aſſurance, I cannot approve ſuch a pal- " pable Falſification of Facts, which are ſtill recent in

" every Body's Memory, becauſe a *Falſhood*, in ſuch " a Caſe, is immediately known to be a *Falſhood*, " and therefore can anſwer no one End of *political* " *Lying*. On the contrary, it diſcredits our *other* " *Lyes*, which the Exigence of Affairs may render " neceſſary, and naturally creates a Spirit of Diffidence " and Incredulity in our Readers; the worſt " of all Evils to a *Perſon in my Station!*

" Neither ought you, Mr. *Walſingham*, to have " blab'd out the Secret, that We intend to publiſh " an *Apology for* BRIBERY *and* CORRUPTION about " *Chriſtmas* next. This was deſign'd only as an *Expedient*; " and every Body knows that *Expedients* loſe " their Effect, when the People are previouſly put on " their Guard. You ſee what an ill Uſe the *Incendiaries* " have already made of it; and therefore, for " Godſake, let me have no more ſaid upon *theſe nice* " *Subjects*, however They may defy and provoke you " to it. Stick cloſe to your *perſonal Slander*, and let " *Them* return it upon *Me*, if They pleaſe. A Man, " who is already over Head and Ears in Mire, ought " not to value any Dirt, that can be thrown upon " him. If you can only make my *Adverſary* appear " ſomething like *Me*, it is all I expect and deſire at " your Hands.

" I muſt, indeed, do you the Juſtice to confeſs that " you have made ſome Amends for all theſe Blunders " in your laſt *exquiſite Paper*, which is really ſuch a Maſter-piece " of *polemical Altercation*, that I think it utterly " unanſwerable. What a glorious Figure do I " make in that Piece? You have not only made me " deſcend from one of the beſt Families in *England*, " and put me in Poſſeſſion of the *moſt conſiderable* " *Character of* ANY MAN *in the Kingdom*; but have " raiſed me, by the Magick of your Pen, above all " the *Heroes*, *Patriots* and *Princes* of the Earth. You " have even exalted me into a *God*; for nothing but " a *God can bid Defyance to the Rage of Factions, the*

“ *Malice of Enemies, the Madneſs of Multitudes, the* “ *Change of Fortune, and the Force of Time.* A *God* “ only can be *raiſed above Vengeance, above Calumny,* “ *above Power and Fate.*

“ How muſt my Adverſaries gnaſh their Teeth, “ when They read this Paragraph and, at the ſame “ Time, ſee their own Characters ſunk in Proportion “ to my Elevation? They may call it an Heap of “ *Flattery* and *Defamation,* if They pleaſe, and en“deavour to prove it ſo. It will, at leaſt, find Them “ Employment, for the preſent, and draw off the At“tention of the Publick from what I moſt dread.

“ I muſt now take the Liberty, Mr. *Osborne,* to “ complain a little of your Conduct. I have been a “ very indulgent *Patron* to you, and even done more “ than you could reaſonably expect. I brought you “ up to Town from a *mean Employment,* and put you “ in a Way of diſtinguiſhing yourſelf in the World as “ a *political Writer.* I beſtow'd a *pretty, little Place* “ upon you, ſoon after you enter'd into my Service, “ and have ſince given you *another* of greater Value. “ And what is your Gratitude for all theſe Obli“gations? You were ſcarce warm in your *laſt Place,* “ before you endeavour'd to render yourſelf indepen“dent of *Me,* by converting it into *ready Money;* “ which diſcovers your Conſciouſneſs that I cannot “ *ſtand long,* and furniſhes our *Enemies,* at the ſame “ Time, with an Handle of Triumph. You likewiſe “ begin to recant in your *laſt Paper,* and ſeem to “ be in Pain for the Loſs of your *Reputation.* Alas! “ Man, do'ſt Thou think that I dragg'd Thee out of “ Obſcurity, and placed Thee in the Sunſhine of a “ Court, to maintain and vindicate thy *own Cha“racter?* —No; it was becauſe I apprehended that “ thy Talent of perplexing Things, under the Guiſe “ of Logick, would be of Service to my Cauſe. I “ own, thy phyſical Reaſons for *political Blundering* “ gave me a very good Idea of thy Parts; which was

“ farther improved by thy metaphyſical Diſtinctio between *ſtanding Armies* and a *military Government* between a *penſionary Parliament* and a *dependen Parliament*; and between *Corruption* and *Mone given to corrupt.* This raiſed my Expectation, an determined me to make a farther Proviſion for you but as ſoon as you had received the Reward o your Labours, you grow ſqueamiſh, forſooth, and pretend to be ſcrupulous about your *Reputation.* — I will appeal to theſe *worthy Gentlemen* here, whether you have acted an handſome Part by me; o whether any farther Favours are due to a Man, wh pretends to any Qualms at ſacrificing his *Reputation* to the Service of his *Benefactor?*

“ As for the reſt of you, *Gentlemen*, I have no Exceptions to make to your Writings. They are all perfectly conſiſtent, and written in the true Spirit of *perſonal Altercation*, without any unſeaſonable Mixtures of *Fact*, or *Argument*. I hope you will perſevere in ſo good a Cauſe, and you may depend on the Continuance of my Favour.

“ I think, Doctor *Hyp*, you are the only Gentleman in this Aſſembly, who hath any Reaſon to complain of *Neglect*; but I am ſenſible of your Services and will reward them. I don't know whether it is yet proper to eſpouſe you in the ſame publick Manner with *Oſborne* and *Walſingham*, becauſe I am afraid it will give Offence to the *Clergy*; but I will put you upon my Liſt of *private Penſioners*, and hope you will think it no Diminution to ſtand upon the ſame Foot with your ingenious Brethren, *Meſſieurs Omicron* and *Waltham*.

“ I ſhould be guilty of unpardonable Ingratitude, if I did not make my particular Acknowledgments to your *Lordſhips*, (*bowing to the* venerable Perſons *on each Side of Him*) for that Zeal, which you have exerted in my Service, upon all Occaſions; and which, I doubt not, you will continue to ex-

“ ert, *when the Seaſon of the Year ſhall render it proper.*——I ſhall take the firſt Opportunity, *my Lords,* to expreſs my Senſe of theſe Favours in a more *effectual Manner.*

“ Having thus addreſs'd myſelf to each of you in particular, as far as I ſee Occaſion at preſent, I will conclude with one general Piece of Advice.

“ You muſt have obſerved, *my Friends,* that the Publick begin to be very inquiſitive about the Nature of our *laſt Treaties* and the *Expedition* form'd upon them; but let them be as inquiſitive and impatient and clamorous as They will, give Them no farther Satisfaction than *that all Things will go well at laſt.* I charge you not to enter into any Particulars, which may give the *Enemy* an Opportunity of explaining Matters, without incurring the Penalties of the Law. For this Reaſon, I would not have you be too free, Mr. *Walſingham,* in anſwering for me, that I do not intend *ſomething extraordinary* next Winter; for if They ſhould continue to peſter me, as They have hitherto done, about *foreign Affairs,* I am reſolved to bear it no longer; but, by the living God, I will——

Upon That, He thump'd the Table with his Fiſt ſo violent a Manner, that it ſtartled me out of my eep, and deprived the Reader of the Concluſion of is Speech. *A.*

◆

N° 274. SATURDAY, *October* 2, 1731.

NOthing is more ſurprizing in our *Engli* *Hiſtory* than *that Jealouſy*, which mo of our *Kings*, even ſome of the beſt an wiſeſt of Them, have entertain'd of the *Parliaments*; whereas it is evident fro the ſame Hiſtory that *this Jealouſy* hat generally been without Foundation, and that our *Pa liaments* have rather been too ſupple and condeſcendin to the *Crown*. It appears that they have commonl borne too much, and ſeldom, or never, oppoſed t Prince on the Throne, till *Liberty* became in the utmo Danger, and nothing but Oppoſition could ſave it fro immediate Deſtruction. They have, indeed, been tender in this Point, and often ſuffer'd the *Prerogati* to incroach upon their Privileges ſo far, before The took the Alarm and apply'd Themſelves to the Redre of them, that it is difficult to account for the Recover and Preſervation of them, in many Inſtances, witho the Interpoſition of Providence. This Obſervation already fully illuſtrated in Mr. *Oldcaſtle*'s Remarks o the *Engliſh* Hiſtory; and I have lately met with a excellent Tract, ſaid to be written by Sir WALTE RALEIGH, in which this great Truth is farther confirm'd. It is intitled *the Prerogative of Parliament in* England *proved, in a Dialogue* (pro & contra) *be tween a Counſellor of State and a Juſtice of Peace, &c* and appears to have been written in the Reign of *Jame the firſt*, in order to induce *that Prince* to call a *Parliament*, by ſhewing how indulgent the *Parliaments England* have always been to our Princes, and wha little Reaſon He had to be apprehenſive of them. H does This by an Induction of Particulars, from th Reig

Reign of *Henry the third* to the Time, in which He wrote. As there are ſome Things in *this Piece*, which may be of Uſe to our preſent Diſpute, concerning the Treatment of *Miniſters* and the *Dependency of Parliament*, I cannot entertain, or inſtruct, the Reader more agreeably than by ſome Extracts from it, which I believe is as ſcarce as it is valuable.

This *great and good Man*, having taken Notice of the Liberality of the *Parliament* to *Edward the third*, tells us that in his 45th Year He turn'd out ſome of his *Miniſters*, who were *Biſhops*, and put *Laymen* in their Room; after which the *Dialogue* goes on in the following Manner.

" COUNS. It ſeems that, in thoſe Days, the *Kings* " were no longer in Love with their *great Chancellors* " than They deſerved well of Them.

" JUST. No, my Lord, They were not; and That " was the Reaſon They were *well ſerved*; and it was " the Cuſtom then, and in many Ages after, to change " the *Treaſurer* and the *Chancellor* every three Years, " and withal to hear all Mens Complaints againſt " Them.

" COUNS. But by this often Change the Saying is " verify'd, that there is no Inheritance in the Favour " of Kings. *He that keepeth the Figge Tree*, ſaith " *Solomon*, *ſhall eat the Fruit thereof*; for Reaſon it is " that the *Servant* live by the *Maſter*.

" JUST. My Lord, you ſay well in both; but had " the *Subject* an Inheritance in the *Prince's Favour*, " where the *Prince* hath no Inheritance in the *Subject's* " *Fidelity*, then were *Kings* in a more unhappy Eſtate " than *common Perſons*. For the reſt, *Solomon* meaneth " not that *He, that keepeth the Figge Tree*, ſhould ſurfeit, though He meant He ſhould eat. He meant " not He ſhould breake the Branches in gathering the " *Figges*, or eat the Ripe and leave the Rotten for the " *Owner of the Tree*; for what ſaith He in the following Chapter? He ſaith that *He, that maketh Haſte*

" *to be riche, cannot be innocent*; and before That He " ſaith, that *the End of an Inheritance haſtily gotten* " *cannot be bleſs'd*. Your Lordſhip hath heard of few, " or none great with *Kings*, that have not uſed their " Power to *oppreſſe*; that have not grown *inſolent* and " *hateful to the People*; yea, inſolent towards *thoſe* " *Princes*, that advanced them.

" COUNS. Yet you ſee that *Princes* can change " their Fancies.

" JUST. Yea, my Lord, when *Favourites* change " their Faith; when They forget that how familiar " ſoever *Kings* made Themſelves with their *Vaſſals*, " yet They are *Kings*. *He that provoketh a King to* " *Anger*, ſaith *Solomon*, *ſinneth againſt his own Soule*; " and he further ſaith, that *Pride goeth before Deſtruction, and a high Minde before a Fall.* I ſay " therefore that in diſcharging *thoſe Lucifers*, how " deare ſoever They have beene, *Kings* make the " World know that They have more of *Judgment* " than of *Paſſion*; yea, They thereby offer a *ſatisfactory Sacrifice to all their People*. Too great Benefits " of Subjects to their King, where the Mind is blowne " up with their *own Deſervings*, and too great Benefits " of Kings conferr'd upon their Subjects, where the " Minde is not qualify'd with a great deale of *Modeſty*, " are equally dangerous. Of this *latter* and *inſolenter* " *Sort*, had King *Richard the ſecond* deliver'd up to " Juſtice but *Three* or *Four*, He had ſtill held the *Love* " *of the People*, and thereby his *Life* and *Eſtate*.

He afterwards juſtifies the Conduct of the *Parliament* towards that *weak, obſtinate and unfortunate Prince*, and ſhews that They did not come to Extremities with Him, till He had proved Himſelf, after many Trials, abſolutely irreclaimable.

Under the Head of *Henry the ſixth's Reign*, He makes the *Juſtice of Peace* ſpeak in this Manner to the *Counſellor of State*.

"JUST. —— And judge you, my Lord, whether "the *Parliaments* do not ſerve the *King*, whatſoever "is ſaid to the contrary; for as all King *Henry the* "*ſixth's* Gifts and Grants were made voide by the "Duke of *Yorke*, when He was in Poſſeſſion of the "Kingdome, by the *Parliament*; ſo in the Time of "King *Henry*, when King *Edward* was beaten out "again, the *Parliament of Weſtminſter* made all his "Acts voide; made Him and all his Followers Tray-"tors; and gave the King many of their Heads and "Lands. The *Parliament of England* does always "ſerve the *King in Poſſeſſion*. It ſerved *Richard the* "*ſecond* to condemn the popular Lords. It ſerved "*Henry* to depoſe *Richard*. When *Edward the fourth* "had the Scepter, it made Them all Beggars, that had "follow'd *Henry the ſixth*; and it did the like for "*Henry*, when *Edward* was driven out. The *Par-*"*liaments* are as the Friendſhip of this World is, which "always followeth *Proſperity*.

I ſhall now paſs to the Reign of *James the firſt*, under which *this Tract* was written and deſign'd, as I ſaid before, to recommend the calling a *Parliament* at that Time. The *Counſellor* argues againſt it, as impolitick, and inſtances the Behaviour of the *laſt Parliament*, in which ſome Heats aroſe, and ſome reflecting Expreſſions were dropt. The *Juſtice* replies *that thoſe Contentions and Diſorders were occaſion'd by the common Opinion that the laſt Parliament was pack'd*; upon which the *Counſellor* asks the following Queſtion, and the *Dialogue* proceeds thus.

"COUNS. Why, Sir, do you not think it beſt to "*compound a Parliament of the King's Servants and* "*others, that ſhall in all obey the King's Deſires?*

"JUST. Certainly no; for it hath never ſucceeded "well, neither on the *King's* Part, nor on the *Subject's*, "as by the *Parliament, before remember'd* your Lord-"ſhip may gather; for from *ſuch a Compoſition* do "ariſe all Jealouſies and all Contentions. It was

“ practiſed in *elder Times*, to the great Trouble of the Kingdome, and to the Loſs and Ruine of many. It was of *latter Time* uſed by King *Henry the eighth*; but every Way to his Diſadvantage. *When the* King *leaves Himſelf to his* People, *They aſſure Themſelves that They are* truſted *and* beloved *of their King*; and there was never any *Aſſembly* ſo barbarous, as not to anſwere the Love and Truth of their *King*.

“ COUNS. But you know They will preſently be in Hand with *thoſe Impoſitions*, which the King hath laid by his *own royal Prerogative*.

“ JUST. Perchance not, my Lord; but rather with *thoſe Impoſitions*, that have been by *ſome of your Lordſhips* laide upon the *King*; which did not *ſome of your Lordſhips* fear more than you do the *Impoſitions laide upon the Subjects*, you would never diſſuade his Majeſty from a *Parliament*; for no Man doubted but that his Majeſty was adviſed to lay *thoſe Impoſitions* by his Council; and for particular Things, on which They were laide, the Advice came from *petty Fellowes*, though now *great ones* belonging to the *Cuſtom-Houſe*. Now, my Lord, what Prejudice hath his Majeſty, (his *Revenue* being kept up) if the *Impoſitions*, that were laide by the Advice of a *few*, be in *Parliament* laide by the *general Council of the Kingdom*, which takes off all Grudging and Complaint?

“ COUNS. Yea, Sir, but That, which is done by the *King*, with the Advice of his *private*, or *privy Council*, is done by the *King's abſolute Power*.

“ JUST. And by whoſe Power is it done in *Parliament*, but by the *King's abſolute Power*? Miſtake it not, my Lord. The *three Eſtates* do but adviſe, as the *Privy Council* doth; which Advice if the King embrace, it becomes the *King's own Acte* in the *one*, and the *King's Law* in the *other*; for without the King's Acceptation, both the *publicke* and *private*

" *Advices* be but as empty Egg-ſhells; and what doth " his Majeſtie loſe, if ſome of *thoſe Things*, which " concern the *poorer Sort*, be made free againe, and " the Revenue kept up upon *That*, which is *ſuperfluous? Is it a Loſſe to the* King *to be* beloved *of the* " *Commons?* If it be *Revenue*, which the *King* ſeekes, " is it not better to take it of Thoſe, that *laugh*, than " of Thoſe, that *crie?* Yea, if all be content to pay, " upon a *Moderation* and *Change of the Species*, is it " not more honourable and ſafe for the *King*, that the " Subject pay by *Perſuaſion*, than to have them *conſtrayned?* If They be contented to *whip Themſelves* " *for the King*, were it not better to give Them the " Rod into their *own Hands*, than to commit Them to " the *Executioner?* Certainly it is far more happy for " a Sovereign Prince, that a Subject *open his Purſe* " *willingly*, than that the ſame be *open'd by Violence*. " Beſides that, when Impoſitions are laide by *Parliament*, they are gather'd by the Authority of the " *Lawe*, which, as aforeſaid, rejecteth all Complaints, " and ſtoppeth every mutinous Mouth. It ſhall ever " be my Praier that the *King* embrace the Counſel of " *Honour* and *Safety*, and let *other Princes* embrace " That of *Force*.

" COUNS. Well, Sir, all This notwithſtanding, We " dare not adviſe the King to *call a Parliament*; for " if it ſhould *ſucceede ill*, We that adviſe ſhould fall " into the King's Diſgrace; and if the King be driven " into any Extremity, We can ſay to the King that " becauſe We found it extreamly unpleaſing to his Majeſty to heare of a *Parliament*, We thought it no " good Manners to make ſuch a Motion.

" JUST. My Lord, to the *firſt* let me tell you that " there was never any juſt Prince, that hath taken any " Advantage of the *Succeſſe of Counſels*, which have " been founded on *Reaſon*.— But for the *ſecond*, where " you ſay you can excuſe yourſelves upon the *King's* " *own proteſting againſt a Parliament*, the *King*, upon

" better Conſideration, may encounter that Fineſſe of " yours.

" COUNS. How, I pray you?

" JUST. Even by declaring Himſelf to be *indifferent*; by calling your Lordſhips together; and by " delivering unto you that He heares how his loving " Subjects in general are willing to ſupply Him, if it " pleaſe Him to call a *Parliament*; in which Reſpect, " He requires ſuch of you, as either *miſlike*, or rather " *feare a Parliament*, to *ſet down your Reaſons in writing*; and ſuch as wiſh and deſire it to *ſet down their* " *Anſwers to your Objections*; and ſo *ſhall the King* " prevent the calling, or not calling on his *Majeſty*, as " ſome of your *great Counſellors* have done in many " other Things, ſhrinking up their Shoulders and ſaying, *the King will have it ſo.*

" COUNS. Well, Sir, it grows late, and I will bid " you farewel; only you ſhall take with you this Advice of mine; that in all you have ſaid againſt our " *greateſt Men*, thoſe Men, in the End, ſhall be your " Judges in their *own Cauſe*. You, that trouble yourſelf with *Reformation*, are like to be well rewarded; " for hereof you may aſſure yourſelfe, that We will " never allow of *any Invention*, how profitable ſoever, " unleſs it proceede, or ſeeme to proceede from *ourſelves*.

" JUST. If then, my Lord, We may preſume to " ſay that *Princes* may be unhappy in any Thing, certainly They are unhappy in nothing more than in " ſuffering Themſelves to be ſo *incloſed*. Againe; if " we may believe *Pliny*, who tells us that it is an ill " Signe of Proſperity in any Kingdome or State, where " ſuch as *deſerve well* find no other Recompence than " the Contentment of their *owne Conſciences*; a farre " worſe Signe is it, where the *juſtly Accuſed* ſhall take " Revenge of the *juſt Accuſer*. But, my good Lord, " there is this Hope remaining that ſeeing He hath " been abuſed by Them He truſted moſt, He will not

" for the future diſhonour his Judgment, ſo well in-" form'd by his own Experience, by expoſing *ſuch* " *of his Vaſſals* as have had no other Motives to ſerve " Him than ſimply the Love of his Perſon and Eſtate, " to *their Revenge*, who have onely beene moved by " the Love of *their owne Fortunes and their Glory.*

" COUNS. But, good Sir, the *King* hath not been " deceived by *All.*

" JUST. No, my Lord; neither have *All* beene " truſted; neither doth the World accuſe *All*; but " believe that there be amongſt your Lordſhips very *juſt* " *and worthy Men*, as well of the *Nobility* as *others*; " but Thoſe, though moſt honour'd in the *Common-" wealth*, yet have not been *moſt employ'd*. Your " Lordſhip knows it well enough that *three, or four* " *of your Lordſhips* have thought your Hands ſtrong " enough to bear up alone the weightieſt Affairs in the " Commonwealth; and ſtrong enough all the Land " have found Them to beate down whom They " pleaſed.

" COUNS. I underſtand you; but how ſhall it ap-" peare that They have *onely ſought Themſelves?*

" JUST. There needs no *Perſpective Glaſſe* to diſ-" cerne it; for neither in the *Treaties of Peace and* " *War*, in Matters of *Revenue*, and Matters of *Trade*, " any Thing hath happen'd either of *Love* or *Judg-" ment*. No, my Lord, there's not any *one Action of* " *Theirs eminent, great or ſmall, the* GREATNESS OF " THEMSELVES ONLY *excepted.*

" COUNS. It is all one. *Your Papers* can neither " anſwere, nor reply. We can.——Beſides, you tell " the King *no Newes*, in delivering theſe Complaints; " for He knowes as much as can be told Him.

" JUST. For the *firſt*, my Lord, when He hath " once the Reaſon of Things deliver'd Him, your Lord-" ſhips ſhall neede to be well adviſed in your An-" ſweres. There is no Sophiſtrie will ſerve the Turne. " For the *ſecond*, to ſay *that his Majeſtie knowes and*

“ *cares not*, were but to make all his faithful Subject deſpaire.

“ Couns. Howſoever it be, That is nothing t *You*, that have no Intereſt in the *King's Favour*, no perchance in his *Opinion*; and concerning *ſuch a one*, the miſliking, or but miſconceiving of any *on hard Word, Phraſe, or Sentence*, will give Argumen to the *King* either to condemn, or reject the *whol Diſcourſe*. But howſoever *his Majeſtie* may neglect your Informations, you may be ſure that *Others*, at whom you point, will not neglect *their Revenges*. You will therefore confeſſe it, when it is too late, that you are exceeding ſorry that you have not follow'd my Advice.

“ Just.——But, my Lord, We ſhall doe the *King* great Wrong, to judge Him by common Rules, or ordinary Examples; for ſeeing his Majeſtie hath greatly enrich'd and advanced *Thoſe*, that have but *pretended his Service*, no Man needs to doubt of his Goodneſſe towards *Thoſe*, that ſhall performe any Thing *worthy Reward*. Nay, the not taking Knowledge of Thoſe *of his own Vaſſals*, that have done Him *Wrong*, is more to be lamented, than the relinquiſhing of *Thoſe*, that do Him *Right*, is to be ſuſpected.——As for what your Lordſhip tells me, *that I ſhall be ſorry for not following your Advice*, I pray your Lordſhip to believe that I am no Way ſubject to the common ſorrowing of worldly Men, this Maxime of *Plato* being true; *Dolores omnes ex Amore Animi ergà Corpus naſcuntur*; but for my *Body*, my *Mind* values it at nothing.

“ Couns. What is it then you hope for, or ſeeke?

“ Just. Neither Riches, nor Honour, nor Thankes; but I only ſeeke to ſatiſie his Majeſtie (which I would have bin glad to have done in Matters of more Importance) *that I have lived and will die an honeſt Man*.

We may here ſee a Specimen of the glorious Spirit of Sir *Walter Raleigh* ; who thought it his Duty, even under Oppreſſion, to admoniſh his Prince (for *this Piece* is particularly addreſs'd to Him) againſt thoſe *infamous Miniſters*, who *incloſed* and *miſled* Him. I make no Doubt that *theſe Lucifers*, as He calls Them, accuſed Him of *Indecency*, at leaſt, if not of *Faction* and *Sedition*, in cenſuring the *Meaſures of the Court* with ſo much Freedom. Nay, it is not improbable that this Advice might be term'd by *Thoſe*, againſt whom it was offer'd, *an inſolent Attack upon Majeſty itſelf*; and perhaps it contributed, in ſome Meaſure, to the execrable Murther, which was afterwards perpetrated on that *great and excellent Patriot*, under the Form and Colour of Law. *D.*

N° 275. SATURDAY, *October* 9, 1731.

CATO's Letters *and the Writings of the* CRAFTSMAN *compared*.

Haſt Thou appeal'd unto CATO? *Unto* CATO *ſhalt Thou go?*

IT is really grown a very tragi-comical Scene, and fills one with an equal Mixture of Indignation and Contempt, to obſerve the low Shifts, to which the *miniſterial Advocates* are reduced, and how They catch hold of every little Twig, in order to keep themſelves and their *Patron* rom ſinking. Having wallow'd in the Mire of *perſonal* '*lander* for more than four Months paſt, and made ſe of the *groſſeſt Scurrility*, that ever defiled Paper, to

ſupport their Cauſe, They have had the Folly at la
to trump up *Cato's Letters* to their Aſſiſtance, and recommend them to the World as an Antidote againſt *m* *Writings*. *One of Them*, in particular, hath ridiculouſly aſſerted *that Cato's Reaſonings againſt* weak *an* wicked Miniſters *were not to be employ'd againſt th* preſent Miniſters, *nor in any Manner* related *to Them* In anſwer to This, I quoted two or three Paſſages fro *thoſe Writings*, undeniably level'd at the Perſon of hi *honourable Patron*, who is ſtigmatized in them wit the Name of the SCREEN. Mr. *Walſingham*'s Repl to This deſerves particular Notice: He ſays that th Papers, from which I made my Citations, were no written by the *ſurviving Author*, but by the lat Mr. *Trenchard*. Now, for God's ſake, what is Thi to the Purpoſe; or how does it prove the Truth of hi Aſſertion, *that* Cato'*s Reaſonings* (as He expreſs'd it in general Terms) *did not* relate, *in any Manner*, *to th* PRESENT MINISTER? I did not ſay that the *ſurviving Author* wrote thoſe Papers; nor indeed is it o any Conſequence to the Publick whether He did or not. It is the *Matter* of thoſe Writings, on which I inſiſted and muſt continue to inſiſt, (ſince it is brought into Diſpute) without regarding by *whom* They were written; though it ſeems a little unaccountable how Mr. *Walſingham* ſhould be able to make ſuch a particular Diſtinction between the Writings of theſe *two Gentlemen*. I am very well aſſured that the *ſurviving Author* would ſcorn to give Him any ſuch Authority. I am likewiſe confident that He deſpiſes the nauſeous Adulation of this *dirty, little-Creature* as heartily as I deſpiſe his *Billingſgate Scurrility*; which deſerves *another Kind of Anſwer*, if it deſerves any.

No Provocations therefore from *ſuch a Wretch* ſhall ever tempt me to ſay any Thing unhandſome of a *Gentleman*, whom I admire as an *excellent Writer*, and eſteem as a *Contender for Liberty*; but I am not conſcious of any *Obligations*, which I lye under to Him, as *Walſingham* ſuggeſts; nor do I think it any *Breach of Friendſhip* (as He is pleaſed to term a *common Acquaintance*) to juſtify my own Conduct by *thoſe Writings*, which have been invidiouſly recommended and urged againſt Me. If even the *ſtricteſt Friendſhip* lays a Man under ſuch a Reſtraint, no wiſe Man would ever contract any.

I was induced, for a *particular Reaſon*, to defer the Examination of *this Point* for one Week; and I am ſorry that it is neceſſary at all; but the fooliſh Effrontery of *Thoſe*, who have extoll'd the Deſign of *Cato*'s *Letters*, in Derogation of the *Craftſman*, makes it incumbent upon me to vindicate *Myſelf*. I ſhall do This, as conciſely as poſſible, by ſhewing that there s hardly any *material Point*, which hath been objected to in *One*, and which may not be juſtify'd by ſomething parallel in the *Other*.

Let me only premiſe farther that the *Publiſhers of theſe Volumes* have dropt the *original Dates*, at the Head of each particular Paper; ſo that it is impoſſible for us directly to aſcertain the Time, when they were firſt publiſh'd; but according to the beſt Calculation I am able to make, I think I may venture to ſay that my Lord *Sunderland* dyed before the Concluſion of the *ſecond Volume*.—If there was no particular Reaſon for omitting *theſe Dates*, I wiſh Meſſ. *Peele* and *Company* would be ſo good as to reſtore them in the *next Impreſſion*; becauſe they are certainly of very great Uſe n judging of *Papers*, written upon *particular Occaſions*, and eſpecially upon *political Subjects*.

Mr. *D'Anvers* ſet out with aſſerting the *Liberty of the Preſs*, and the Right of *private Judgment in Matters of Government*.—*Cato*'s *Letters* abound with Claims of the ſame Kind, and Arguments to the ſame Purpoſe; particularly in the following Paſſages.

“ All *Miniſters*, who were *Oppreſſors*, or intended “ to be *Oppreſſors*, have been loud in their Complaints “ againſt *Freedom of Speech*, and the *Licence of the*

" *Preſs*; and always reſtrain'd, or endeavour'd to r
" ſtrain both. In Conſequence of This, They hav
" brow-beaten *Writers*, and puniſhed Them violentl
" and againſt Law, and burnt their Works; by a
" which They ſhow'd how much *Truth* alarm'd Then
" and how much They were at Enmity with *Truth*.

" *Freedom of Speech* being therefore of infinite In
" portance to the Preſervation of *Liberty*; every on
" who loves *Liberty*, ought to encourage *Freedom*
" *Speech*. Hence it is that I, living in a Country
" *Liberty*, and under the beſt Prince upon Earth, ſha
" take this very favourable Opportunity of ſervir
" Mankind, by warning them of the hideous Miſchie
" They will ſuffer, if ever *corrupt* and *wicked M*
" ſhall hereafter get Poſſeſſion of any State, and tl
" Power of betraying their *Maſter*." ——*The who*
Paper is upon this Subject and may be ſeen in Vol.
p. 97.

" But ſome have ſaid, *it is not the Buſineſs of pr*
" *vate Men to meddle with Government*; a bold, fal
" and diſhoneſt Saying; and whoever ſays it, eith
" knows not what He ſays, or cares not, or ſlaviſhl
" ſpeaks the Senſe of others. It is a *Cant* now almo
" forgot in *England*, and which never prevail'd bu
" when *Liberty* and the *Conſtitution* were attack'd, an
" never can prevail but upon the *like Occaſion*—It i
" in ſhort, a Saying, which ought to render the Ma
" who utters it, for ever incapable of *Place*, or *Cred*
" in a free Country, as it ſhews the Malignity of h
" Heart, and the Baſeneſs of his Nature, and as it
" the pronouncing of a Doom upon our *Conſtitution*
" a Crime, or rather a Complication of Crimes, fc
" which a *laſting Infamy* ought to be but Part of th
" Puniſhment.——*See the whole Paper, Vol.* 1. p
306.

Mr. *D'Anvers* hath frequently obſerved, in Juſtic
to the *People*, that They commonly judge right c
publick Management, becauſe They judge by their *Fee*

ing, and are not byaſs'd by *Ambition*.——Let us hear what *Cato* ſays upon the ſame Subject.

“ In free Countries the *People* know all This. They have their five Senſes in as great Perfection as have *Thoſe*, who would treat Them as if They had none. They never hate their *Governors*, 'till their *Governors* deſerve to be hated; and when This happens to be the Caſe, not *abſolute Power* itſelf, nor the *Affections of a Prince*, inveſted with it, *can protect and employ* Miniſters *deteſted by the People*.——*Vol.* 1. *p.* 184.

“ Some will tell us that This is ſetting up the *Mob* for Stateſmen, and for the Cenſurers of States. The Word *Mob* does not at all move me, upon this Occaſion, nor weaken the Grounds I go upon. It is certain that the *whole People*, who are the *Publick*, are the beſt Judges whether Things go ill or well with the Publick. It is true, They cannot all of Them ſee *diſtant Dangers*, nor watch the Motions and gueſs the Deſigns of *neighbouring States*; but every *Cobbler* can judge, as well as a *Stateſman*, whether He can ſit peaceably in his Stall; whether He is paid for his Work; whether the Market, where He buys his Victuals, is well provided; and whether a *Dragoon*, or a *Pariſh Officer* comes to Him for his *Taxes*, if He pays any, *Vol.* 1. *p.* 88.

Mr. *D'Anvers* hath recommended *political Jealouſy*; and ſo hath *Cato*, who calls it *a neceſſary and laudable Paſſion in the People*.——*Vol.* 1. *p.* 267.

The *Craftſman* hath often ridiculed the Complaints of the *Court Writers* againſt *Libels*, *Malecontents* and *Incendiaries*, when *Men in Power* give no juſt Occaſion for them.——*Cato* hath done the ſame, in many Places, beſides the following.

“ 'Tis childiſh to ſay that a *few Flies* and *Inſects* can raiſe a *great Duſt*; or that as many *diſappointed* and *unpreferr'd Men* can ſhake a *great Kingdom* with a *wiſe Prince* at the Head of it, ſupported with *ſuch*

" *Power* and *Dependencies*. A *great Fire* cannot b
" raiſed without *Fewel*; and the *Materials*, whic
" make it, muſt have been *combuſtible* before. And i
" This is our Caſe, We ought to aſk, *how* they cam
" to be ſo, and *who* made them inflamable? *Who* lai
" the Gunpowder, as well as *who* fired, or intende
" to fire it. — Vol. 3. p. 220.

" The beſt Way to prevent *Libels* is not to deſerv
" them, and to deſpiſe them, and then they alway
" loſe their Force; for certain Experience ſhews u
" that the more Notice is taken of them, the more the
" are publiſh'd. *Guilty Men* alone fear them, or are hur
" by them, whoſe *Actions* will not bear Examination
" and therefore muſt not be examin'd. 'Tis *Fact* alone
" which annoys Them; for if you will tell no *Truth*
" I dare ſay you may have their Leave to tell as many
" *Lies* as you pleaſe. — Vol. 3. p. 248.

The *Craftſman* hath frequently expoſed the Folly o *Parties*, and the knaviſh Deſigns of their *Leaders*.— The following Paſſages prove *Cato* to have been of th ſame Opinion in this Reſpect.

" It is high Time, at laſt, for the *Bubbles of al*
" *Parties*, for *Whigs* and *Tories*, for *High-Church* and
" *Low-Church*, to come to an *Eclairciſſement*, and no
" longer ſuffer themſelves to be bought and ſold by
" their *Drivers*. Let them ceaſe to be *Calves* and
" *Sheep*; and they will not be uſed like *Calves* and
" *Sheep*.

" Let us not therefore hereafter ſuffer ourſelves to be ſet together by the Ears, and make *Crouds*, which are the Harveſt of *Pickpockets*. Let us learn to value an *honeſt Man of another Party*, more than a *Knave of our own*. Let the only Contention be who ſhall be moſt ready to ſpew out their *own Rogues*, and I will be anſwerable *all other Differences* will ſoon be at an End.— *Vol.* 1. *p.* 109.

" So wildly do Men run on to confound *Names* and *Things*! We call Men opprobriouſly *Tories*, for acting

" the beſt Part of *Whiggiſm* ; and honourably chriſten " ourſelves *Whigs*, when we are openly acting the vileſt " Parts of *Toryiſm*; ſuch Parts as the *Tories* never at" tempted to act.— *Vol.* 3. *p.* 207.

D'Anvers complains that his *Adverſaries* always blend the Meaſures of a *Miniſter* with the perſonal Intereſt of the *Prince*.— And does not *Cato* bear his Teſtimony againſt the *ſame vile Artifices* in ſeveral Places ? Let the Reader judge of the following Paſſages.

" We have been told of the Times, and ſome Men " now living do remember to have ſeen them, when ' *unworthy Men*, who by *Faction* and *Treachery*, by ' mean Compliances with *Power*, or by inſolently da' ring of *Authority*, having raiſed Themſelves to *Wealth* ' and *Honours*, and to the Power of betraying ſome ' *conſiderable Truſt*, have had the provoking Sauċineſs ' to *call* THEMSELVES *the* GOVERNMENT, *and their* ' OWN ROGUERIES *his then* MAJESTY'S MEASURES; ' and the next Thing was to pronounce all Thoſe *Ene*' *mies to his then Majeſty*, who would endeavour to ' reſcue their *abuſed King* and *ſinking Country* out of ' their *devouring* and *polluted Claws*.— *Vol.* 1. *p.* 85.

" Before I have done, I would take Notice of ano' ther Miſtake very common, concerning *Loyalty*. It ' is, indeed, a *Trick* more than a *Miſtake* ; I mean of ' *Thoſe*, who would aſſert, or rather create a Sort of ' *Loyalty to Miniſters*, and make every Thing, which ' *they did not like*, *an Offence againſt their Maſter*.— ' The above is a Method, which *bad Miniſters* have ' ever taken ; but which *good ones* want not. *Innocent* *Miniſters* will never proſtitute the Name and Authority of the *Prince*, to protect their *own Faults* and *Miſtakes* ; and every wiſe and indifferent Man will be for preſerving *Him* from the Imputation of the Guilt and Folly of his *Servants* ; who, whenever they are thruſting in their *Maſter* between *Themſelves* and the Cenſure, or Odium of their *own Actions*, do at once acknowledge that *their own Actions are evil*,

“ and that they would barbarouſly and ungratefull
“ *make a* SCREEN *of their Sovereign*, and ſave Them
“ ſelves upon *his Ruin*, or *Diſgrace*. — *Vol.* I. *p.* 294

The *Craftſman* hath uſed his utmoſt Endeavours t expoſe the iniquitous Traffick of *Stockjobbing*, and th dangerous Practices of *excluſive Corporations*. — *Cat* likewiſe hath beſtow'd ſo many Papers upon this Subject, that it would be endleſs, and for that Reaſon i needleſs to quote any. I ſhall therefore only refer th Reader to two Papers, (*Vol.* 3. *p.* 169.) in which H hath proved *excluſive Companies to be not only deſtructiv of* Trade, *but dangerous to our* Conſtitution, *as they a ter the Ballance of our Government, too much influenc our Legiſlature, and are ever the Confederates, or Too of ambitious and deſigning Stateſmen*. — If I remembe right, the ſevere Reflections in *theſe Diſcourſes*, whic were publiſh'd long after my Lord *Sunderland*'s Death induced *ſomebody in Authority* to buy off the Proprietors of the *London Journal*, and obliged *Cato* to ſet u *another Paper*.

It may be proper to put Mr. *Walſingham* in min that, amongſt other Complaints againſt *Companies* an *Stockjobbing*, He hath particularly condemn'd all *colluſive Bargains* to raiſe *South Sea Stock* above the rea Value; particularly the BANK CONTRACT by Name which He calls, by an apparent Irony, *that honeſt an ſerviceable Bargain to the Publick*. — Vol. 3. p. 191 *The whole Paper is upon that Subject*.

As to *Gibraltar*, every Body muſt remember wit what Zeal the Writers of *Cato*'s *Letters* expreſs'd thei high Notions of the *Importance of that Place*, and thei Apprehenſions of ſome *clandeſtine Promiſes*, or *Stipulations*, for giving it up, or ſuffering it to be taken —— The very *firſt Letter* in the Collection is upon this important Point.

The *Craftſman* hath often expreſs'd his Apprehenſions of the Danger of *large ſtanding Armies, in Time of Peace*; but hath never yet enter'd very deep into tha

“ Subject ;

Subject; whereas there is ſcarce a Paper, upon any *political Subject*, in all *Cato*'s *Letters*, in which they are not ſtrongly condemn'd as the very Bane of all *Liberty*. —— *See his whole Series of Diſcourſes upon* Liberty *and* Tyranny. *Vol.* 2. *from p.* 41 *to p.* 230.

Mr. *D'Anvers* hath been accuſed of treating *Miniſters*, in general, too contemptuouſly and ſeverely. Let us hear how *Cato* treats Them.

" *Great Crimes* protect themſelves and one another; ' ſo that, in Effect, Crimes are not always puniſh'd ' becauſe they are Crimes, but becauſe they are not ' mighty Crimes; nor, in the inflicting of Puniſh- ' ments, hath the Offence, or the Offender been con- ' ſider'd, but only the Figure of the Offender; who, ' if He was poor and neceſſitous, hath been put to ' Death; if great and ambitious, he hath been pro- ' tected, or preferr'd. And thus it is that *Halters* ' and *Garters*, *Axes* and *white Staves*, *Palaces* and *Dungeons* have been often miſerably confounded and miſplaced. —— *Vol.* 3. *p.* 18.

" *Child*, the Highwayman, robb'd the *Mail*, and was put to Death; but, inſtead of the *Mail*, had he robb'd the *Nation*, (I mean any Nation but This) He might probably have govern'd it; and, inſtead of hanging in Chains, led a whole People in Chains, and been dubb'd an *able Stateſman* and a *faithful Miniſter*. —— *Vol* 3. *p.* 196.

What an Outcry hath been made againſt Mr. '*Anvers*, for juſtifying an accidental Expreſſion ainſt a *Miniſter*, in the Warmth of a Debate, which call'd a *Vow of Deſtruction?* But it happens unckily for *theſe Writers*, that *Cato* hath made Uſe of e ſame Expreſſions, even *in Terminis*, in a premeditated Eſſay. It runs thus,

" Let us PURSUE *to Diſgrace*, DESTRUCTION, *and even Death*, Thoſe, who have brought this Ruin upon us, let them be ever ſo great, or ever ſo ma-

" ny. — They have made many bold, deſperate, anc
" wicked Attempts to DESTROY *Us*. Let us ſtrike on
" honeſt and bold Stroke to DESTROY *Them*. —
" *Vol.* 1. *p.* 111.

Mr. *D'Anvers* hath inveigh'd very largely againſ *Corruption*; but hath He done it in ſtronger Term than *Cato* inveighs againſt it, in the following Paragraph?

" But even *theſe corrupt Advantages* are no longe
" to be had upon the ſame Terms. The Bow i
" ſtretch'd ſo far, that it muſt break, if it goes far
" ther. *Corruption*, like all other Things, hath i
" Bounds, and muſt at laſt deſtroy itſelf, or deſtro
" every Thing elſe. We are already almoſt *mortgage*
" *from Head to Foot*. There is ſcarce any Thing
" which can be *tax'd*, that is not *tax'd*. Our Vein
" have been open'd and drain'd ſo long, that there i
" nothing left but our *Heart's Blood*.— *Vol.* 3. *p.* 230.

Let us now ſee whether *Cato* hath not ſaid as muc upon the Article of *penſionary* and *dependent Parlia ments* as Mr. *D'anvers*.

Having mark'd out ſome of the Methods, which *ba Miniſters* take to *enſlave the People*, He goes on thus.

" If ſuch Meaſures ſhould ever be taken in any *fre*
" *Country*, where the People chuſe *Deputies* to repre
" ſent Them, then they will endeavour to bribe th
" *Electors* in the Choice of their *Repreſentatives*, an
" ſo to get a Council of their *own Creatures*; an
" where They cannot ſucceed with the *Electors*, The
" will endeavour to corrupt the *Deputies*, after The
" are *choſen*, with the Money given for the *public*
" *Defence*, and to draw into the Perpetration of the
" Crimes *thoſe very Men*, from whom the *betray*
" *People* expect the Redreſs of their Grievances, ar
" the Puniſhment of thoſe Crimes. — *Vol.* 1. *p.* 11

" I think, I may with great Modeſty affirm tha
" in *former Reigns*, the People of *England* found r
" ſufficient Security in the *Number of their Repreſe*

" *tatives.* What with the Croud of *Offices* in the " Gift of the Crown, which were poſſeſs'd by Men of " no other Merit, nor held by any other Tenure, but " meerly a Capacity to get into the *Houſe of Commons*, " and the *Diſſervice* They could and would do their " Country there; and what with the Promiſes and " Expectations given to *Others*, who by *Court-Influ-* " *ence*, and often by *Court-Money*, carry'd their Electi- " ons; what by artful Careſſes, and the familiar and " deceitful Addreſſes of great Men to weak Men; what " with luxurious Dinners, and Rivers of *Burgundy*, " *Champaigne* and *Tokay* thrown down the Throats of " Gluttons; and what with *Penſions* and other *perſo-* " *nal Gratifications*, beſtow'd where Wind and Smoke " would not paſs for current Coin; what with *Party* " *Watch-Words* and *imaginary Terrors* ſpread amongſt " the drunken Squires and the deluded and enthuſia- " ſtick Bigots, of dreadful Deſigns in Embrio to blow " up the Church and the Proteſtant Intereſt; and ſome- " times with the Dread of mighty Invaſions juſt ready " to break upon us from the Man in the Moon; I ſay, " by *all theſe corrupt Arts*, the *Repreſentatives of the* " *Engliſh People*, in former Reigns, have been brought " to betray the *People*, and to join with their *Oppreſ-* " *ſors.* — *Vol.* 2. *p.* 65.

I will quote one Paſſage more, becauſe it is exactly agreeable to what I have formerly obſerved, concerning *Majorities* and *Minorities.*

" It is a miſtaken Notion in Government, that the " Intereſt of the *Majority* is only to be conſulted; " ſince in Society every Man hath a Right to every " Man's Aſſiſtance in the Enjoyment and Defence of " his private Property, otherwiſe the *greater-Number* " may ſell the *leſſer* and divide their Eſtates among " themſelves; and ſo, inſtead of a *Society*, where all " peaceable Men are protected, become a *Conſpiracy of* " *the* Many, *againſt the* Minority. — *Vol.* 2. *p.* 73.

This was *Cato*'s Senſe of *former Parliaments*; and He ſeems to be apprehenſive that it might be the Caſe of *modern Parliaments*, by his warm Exhortations to the *Electors*.——*See Vol.* 2. *p.* 164.

Another heavy Charge againſt Mr. *D'Anvers* is, that He hath ſpoken diſrepectfully of *Kings* in general, and particularly of their *late* and *preſent Majeſties*, by aſſerting *that Kings are the Servants of the People*, and that *the preſent, royal Family inherit the Crown by no other Tenure, than the Conſent and Authority of the* People *aſſembled in Parliament*. ——— Let us ſee therefore whether *Cato* hath not advanced the ſame Doctrines, even in much ſtronger Terms. ———Concerning *Kings in general,* He ſpeaks thus.

" Nations are then *free*, when their *Magiſtrates* " are their *Servants*; and then *Slaves*, when their " *Magiſtrates* are their *Maſters*. *The* Commonwealth " *does not belong to* Them, *but* They *belong to the* " Commonwealth.—*Vol.* 3. p. 78.

" We have Inſtances of *Princes*, who, to gratify the " Ambition and Rapine of a *few ſorry Servants*, have " loſt the Hearts of their *whole People*, and detach'd " Themſelves from their *good Subjects*, to protect *theſe* " *Men* in their Iniquity; who yet had done Them " no other Service, but That of *deſtroying their Repu*" *tation and ſhaking their Throne*.——*Vol.* 2. *p.* 88.

" I have been told of a *Prince*, who whilſt yet un" der Age, being reproved by his Governor for doing " Things ill, or indecent, uſed to anſwer, *Je ſuis Roy*, " *I am King*; as if his Quality had alter'd the Na" ture of Things, and He Himſelf had been *better* than " other Men, whilſt He acted *worſe*. But He ſpoke " from that Spirit, which had been inſtill'd into Him " from his Cradle. *I am King!* And what then, Sir? " The Office of a *King* is not to do Evil, but to pre" vent it. You have *royal Blood* in your Veins; but " the Blood of your *Page* is, without being *royal*, as " good as yours; or, if you doubt, try the Difference

" in a Couple of Porringers, next Time you are ill, and " learn from this Conſideration and Experimennt, that " by *Nature* you are no better than your People, " though ſubject from your *Fortune* to be worſe, as " many of your *Anceſtors* have been.—*Vol.* 2. *p.* 279.

Concerning the *Title of the preſent, royal Family,* He delivers Himſelf in theſe remarkable Words.

" With Thanks to God, I own We have a Prince " ſo ſenſible of this Right (viz. *the Right of the People)* and who owes his Crown ſo intirely to the " Principles laid down, and I think fully proved, in " *theſe Letters,* that it is impoſſible to ſuſpect, either " from his Inclinations, his Intereſt, or his known Ju-" ſtice, that He ſhould ever fall into any Meaſures to " deſtroy *that People, who have given Him his Crown,* " *and ſupported Him in it with ſo much Generoſity* " *and Expence*; or that He ſhould undermine, by thoſe " Means, *the Ground, upon which He ſtands.*——— " This is contrary to the Tenor of his whole Life and " Actions; *who, as He hath received three Crowns from* " their Gift, *ſo He lies under all the Ties of* Genero-" ſity, Gratitude *and* Duty *to cheriſh and protect Them,* " and *to make Them always* great, free *and* happy.— " *Vol.* 2. *p.* 68.

Mr. *D'Anvers* has been accuſed of a Kind of *Treaſon,* for only glancing, now and then, at ſome *Speeches from the Throne*; but where hath He taken the ſame Liberties with them, which *Cato* hath taken (and, indeed, I think very juſtly) with his *late Majeſty's Speech,* at the Beginning of the Seſſion, in the Year 1721, and with the *Order of Council,* in the ſame Year, againſt the *Hell-Fire Clubs?—See Vol.* 1. *p.* 36—224.

I could likewiſe produce ſeveral Paſſages out of *Cato's Letters,* in which He hath ſpoken of *foreign Dominions* in the ſame Manner with *Myſelf,* and argued againſt making the Intereſt of *Great Britain* ſubſervient to them; ——but my Paper is already extended to a great Length, and it would be endleſs to exhauſt this Subject.

I have already ſhewn, and I think undeniably, that *Cato*'s *Letters* are liable to the ſame Objections with the Writings of the *Craftſman*, in every material Article; unleſs it is expected that we ſhould likewiſe produce Authorities out of *thoſe Letters* to juſtify what we have ſaid concerning the Treaties of *Hanover*, *Seville*, &c. the *Heſſian Troops*, the *Wolfenbuttle Subſidies*, the *Iriſh Recruits*, the late Depredations on our Merchants in the *Weſt Indies*, the violated Honour of the *Britiſh Flag*, the Reparation of *Dunkirk*, the new Works of the *Spaniards* about *Gibraltar*, the *pragmatick Sanction*, the Engagements and Operations in Favour of *Don Carlos*, and ſeveral other Topicks of political Debate, which did not exiſt, whilſt *Cato* was writing.

Having, I ſay, undeniably ſhewn the Concurrence of *Cato* and *Me*, in every Point, in which it can be ſuppoſed we ſhould concur, I will add one more Paſſage, in which our joint Complaints are recapitulated and ſumm'd up in the following Words, which I have formerly quoted, addreſs'd to the *Freeholders of Great Britain*.

" Let us not therefore, *my Countrymen*, deſert or de-
" ceive our ſelves, or think We can be ſafe, if ever *ſuch*
" *Men* (viz. *Penſioners*, *Placemen* and *Dependents*) can
" get into Power. Let us not again be deluded with
" *falſe Promiſes* and *deceitful Aſſurances*; but let us
" judge what Men *will do*, by what they *have done*.
" What warm and plauſible Remonſtrances have you
" formerly heard and received? What impetuous
" Storms and Hurricanes of falſe and counterfeit Zeal
" againſt *Oppreſſions* and *Miſcarriages* in the late
" Reigns; againſt *exorbitant Penſions*, *outragious Taxes*,
" *wild* and *expenſive Expeditions*; againſt *increaſing the*
" *publick Debts*; againſt *ſtanding Troops*, quarter'd up
" and down your Countries; againſt *oppreſſive Com-*
" *panies*, to the Deſtruction of your *Trade* and *Induſtry*;
" againſt PRIVATE MENS *raiſing immenſe Eſtates*
" *upon your Ruin*; and againſt their *bribing and cor-*
" *rupting*

" *rupting the Guardians of the publick Liberty?* ——
" And are you, at laſt, perfectly eaſy in every one of
" *thoſe Complaints?—Vol.* 2. *p.* 167.

I don't know whether all theſe Quotations will yet convince *Oſborne* and *Walſingham* of their monſtrous Indiſcretion, in urging *theſe Writings* againſt *Me*; tho' the *Hyp-Doctor* and the *Flying-Poſt* (who are infinitely better Writers than *They*) have already done me Juſtice in this Point, by putting *Cato* and the *Craftſman* on the ſame Foot; I mean, as *factious Incendiaries.* Nay, the *latter* hath even given us large Extracts from a Pamphlet, publiſhed againſt *Cato*'s Letters at the Time, when they came out in *ſingle Papers*; by which it appears that the very ſame Objections were actually made againſt *Him* and *his Patron*, which are now made againſt *Me* and the *Gentleman*, whom They do me the Honour to call *my Patron*. But *Oſborne* and *Walſingham* are ſuch incorrigible Blockheads, and always perſiſt ſo ſteadily in their Blunders, when They are the moſt fully detected, that I deſpair of drawing any Acknowledgments of Conviction from *Them*. Let Them therefore blunder on and, with ſhameleſs Obſtinacy, triumph in their Blunders. ——It can hurt nobody but *Themſelves*.

Indeed, the only Difference between the *Authors of Cato*'s *Letters* and the *Writers of the Craftſman* is, that *We* have not yet gone ſo far in many Points as *They* have done; eſpecially in our Reflections upon *Men in Power*; for though We have often call'd very loudly for national Juſtice and Vengeance on *wicked Miniſters*, the *Plunderers* and *Oppreſſors of their Country*; yet, I think, We have never made Uſe of ſuch ſanguinary Expreſſions as *Halters* and *Axes*, *Gibbets* and *Scaffolds*; much leſs have We brought the Perſon of *Jack Ketch* upon the Stage, pleading his butcherly Right to the *Necks* and *Heads* of GREAT OFFENDERS, and complaining of Injuſtice for Want of Buſineſs.——Had We ever taken ſuch Liberties, what a

Parcel of *bloody-minded Fellows* ſhould We have been called? ——— Why, the famous *Vow of Deſtruction*, and even the *ſolemn League and Covenant* itſelf are not half ſo bad!

I could go farther; a great deal farther ——But I forbear; and heartily wiſh that I had not been obliged to go ſo far; but if any invidious Conſtructions ſhould be put upon the Paſſages, which I have quoted, let *thoſe Perſons* anſwer for it, who either through *Folly*, or *Treachery*, or *both*, have brought this Diſpute upon the Carpet, and laid me under an Obligation of trying my own Conduct by the *Touchſtone*, which they have produced.

I ſhall add but one Thing more. If the Writings of the *Craftſman* are, in ſome Reſpects, more *perſonal* than *Cato*'s *Letters*, it muſt be imputed to thoſe *perſonal Reflections*, which made a Reply of the *ſame Nature* neceſſary to *Self-Vindication*. ——— Beſides, it ought to be conſider'd that *Cato*'s *Letters* appear the *leſs perſonal* now from the very Diſtance of Time, and its being forgot, by the Generality of People, on what *Occaſions* they were written, and to what *particular Points* they alluded.

I ask Pardon of my Readers for detaining Them ſo long; but I choſe to do it, at preſent, that I might have no Occaſion to trouble Them any more on this Subject. The Point now lies before the *Publick*, to whom We have both appeal'd, and by whom it muſt be decided. I deſire nothing more than to ſtand, or fall, upon the Iſſue of it; for if the *meaneſt of the People*, even the very *Mob themſelves*, can be impoſed upon in a Point of this Nature, They muſt really be as void of common Underſtanding as *their Adverſaries* have repreſented Them, and all Kind of Reaſoning would be utterly thrown away upon Them. *D.*

Nº 276. SATURDAY, *October* 16, 1731.

To CALEB D'ANVERS, *Eſq*;

SIR,

SOme Time ago I wrote to you from the Country, and ſent up ſeveral *Queries* concerning our publick Tranſactions and Negotiations; in Hopes, at leaſt, that if you were not able to ſatisfy us yourſelf, they might have produced ſome Anſwers from the *miniſterial Writers*; which, as they are known to come from *Authority*, would ſet us quite eaſy at this Diſtance, and enable us, over our Coffee, to make an handſome Figure in a Debate with Thoſe, (I aſſure you there are many amongſt us) who tell us ſtrange Things of the *Adminiſtration*,

But inſtead of finding any Manner of Satisfaction to my Queſtions, as you and every Body muſt have obſerved, their Anſwers have been of the oddeſt Kind, that ever were given. — When I ask'd why the *Spaniards* continued to rob and maltreat our Merchants in the *Weſt-Indies? Sir*, ſays Mr. *Oſborne, I would have you to know that We are the freeſt and the happieſt People in Europe.* — *Ay*, ſays Squire *Walſingham, and ou are a Rogue and a Jacobite.*——When I would be inform'd whether the Forts raiſed about *Gibraltar* will be of any Uſe to the *Spaniards*, in carrying on a ew Siege, or enable Them to annoy our Ships in the Bay; Mr. *Oſborne* lays his Hand upon his Heart, and eclares, *He does not believe there ever was a more upight Adminiſtration*; and Mr. *Walſingham* replies, with his uſual Politeneſs, *Sirrah, you are a Scrub, a*

Scoundrel and an Incendiary.——When you talk of *Forage* and *Bank Contracts*, and offer them as Evidence, as Facts upon Record; Mr. *Osborne* is of Opinion, *that you are ſtirring up the People to Sedition*; and the *other Squire* ſays, *you are a Lyar and a Blockhead.*——If We deſire to know whether *Don Carlos* is to go this Year to *Italy* or not, and what Advantage his Introduction there will be of to *Great Britain*, if it ſhould be effectuated; *Sir*, ſays *Osborne*, *We may depend upon it that ſo good a M——ry will do the beſt for us*; and *Walſingham* ſwears, *in verba Magiſtri, that all Things will be ſet to Rights at laſt, whether the Deſign of the* Expedition *ſhould ſucceed, or not.*—— In ſhort, whatever Queſtions We ask, the ſame Kind of Anſwers are return'd, and conſtantly reiterated upon us, with an inſolent Air of Triumph and Defyance.——Now We, *Sir*, who live at a Diſtance, can only ſtare at one another; and, not being at all convinced by this new Method of Reaſoning amongſt *political Diſputants*, would willingly know the Reaſon of it. It cannot ſurely be for want of better Arguments. It cannot be for want of Wit, or Words, or a Talent at Raillery. Does it proceed then from ſome particular Orders, which *theſe Troops* have received to fight only with ſuch Weapons? Or do They know no better Diſcipline? If They expected to do their *Patron's* Cauſe any Service, it hath had a quite contrary Effect amongſt us; and though Mr. *Osborne* and the *other well-bred Squire* viſit us *gratis*, and court us to puruſe Them without any Expence, it is very ſeldom that the *Superviſor* here, who is order'd to read them to us, can get through a Paper, without finding his Audience very much inclined to doze, or to criticize. Yet when I have taken up a Paper, I always find Mr. *Walſingham* very gracious to Himſelf.—— The Adverſary, *ſays He*, hath felt me. I have confounded, defeated and utterly overthrown this *Goliah* of a *Craftſman*. Yonder He lies ſprawling in the Duſt, and gaſping for Life. Mark!

how He grins, and gnaſhes his Teeth in the Agonies of Death! —— At other Times, He drops his Allegory, and condeſcends to tell us, in plain *Engliſh*, that no Body reads you, or hath an Opinion of your Writings, which are already grown a meer Drug about Town; whereas I, quoth He, *have written myſelf into Reputation*, and if you will but come to *C——rt*, you ſhall ſee what a Man of Importance I am grown.—Then as to my *Patron*, He is certainly the wiſeſt, the honeſteſt and the moſt upright Man, that ever lived in the World. He hath no Fault. He is *ſeventeen Generations* old, and is *above Fate and Fortune*. — Your Friend, Mr. *D'anvers*, is dull, heavy and phlegmatick, without Wit, Eloquence, good Nature, or good Senſe; and *if He had been bred an Attorney*, as I was, *He would have been an Attorney ſtill*. — In this very *modeſt Style* He goes on, from Week to Week, and congratulates *Himſelf* upon imaginary Victories. — This ſame *courtly Squire* hath likewiſe another artful Method of writing; for his *Honeſty* is equal to his *Manners*. If you take the common Privilege of an *Engliſhman* in cenſuring the Conduct of *his Patron*, He immediately falls foul on the *Gentleman*, whom He ſuppoſes to be *yours*, and treats as the Author or Director of every Paper publiſh'd in the *Craftſman*; yet He is always very angry, when you attack his *Patron* in the ſame Manner, as the Director of his Writings, though all the World knows that they are ſpread through the Kingdom by his Authority. — If you charge and prove a Fact, of *publick Concern*, upon *his Friend*, He preſently forges one, of a *private Nature*, upon *yours*, and very honeſtly ſuggeſts, when He cannot prove. Nay, He hath even had the Inſolence to proſtitute the *royal Name* in his dirty Service, and to inſiſt upon *Points*, which cannot be anſwer'd, or clear'd up, without a direct Appeal to *Majeſty* itſelf.

But Theſe, Mr. *D'Anvers*, are only Peccadilloes in the Conduct of *this Writer*, and hardly deſerve our Notice.—

tice. — Let Him go on in Oppoſition to Truth and common Senſe. — Let Him continue to earn his Bread by ſlaviſh Adulation and Scandal. — Let Him defame the *Living*, if He can. His Words will always recoil on Himſelf. — But let Him not impiouſly rake up the Aſhes of the *Dead*, even whilſt they are yet hardly cold in the Earth. — Let Him not preſume to vilify, with his prophane Scurrility, the Character of a * *Gentleman*, who is now no more, but whoſe Name will always deſerve to be mention'd with Reverence and Regard, as long as Wiſdom and Integrity of Heart ſhall be thought uſeful and laudable Virtues; a *Gentleman*, whoſe whole Conduct, both in publick and private Life, was ſo Praiſe-worthy, and even amiable, that nothing but the *vileſt Arts of Power* could have ever created Him one perſonal Enemy in the World; a *Gentleman*, whoſe Memory will be as dear to his Country, as his Life was valuable; and whoſe Loſs, I fear, will be as much felt, as it is lamented by Her. I cannot therefore without Indignation behold ſuch a profligate Writer as *Walſingham*, who hath raiſed up the Ghoſt of *this Gentleman*, in his own vicious Imagination, and becauſe He frequently and with Force oppoſed all thoſe Meaſures, which He apprehended to be prejudicial to his Country, hath modeſtly made Him appear to retract his former Sentiments; to confeſs that the whole Tenor of his Life was baſe and wicked; and cauſed Him to utter an Heap of Ribaldry and Lies, unworthy of a Man of Honour, a Gentleman, and a Chriſtian. — This He calls *the Speech of a departed Patriot*. — If I could allow myſelf to be ludicrous upon ſuch an Occaſion, or thought it ſufficient to treat the *Author* of this Piece with the Contempt, which He uſually deſerves, I might compare Him to that pert, abuſive Coxcomb in the *Plain Dealer*, *who rather than not rail, will rail at the* Dead, *whom none ſpeak ill of; and rather*

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* *The late honourable* Daniel Pulteney, *Eſq;*

rather than not flatter, will flatter Thoſe, *whom no Body elſe will flatter.* — But I own, this ſhocking Piece of Immorality affected me very much, as I believe it will every Gentleman in *England*, whoſe Head and Heart are not as bad as *this Writer's*; and I hope, for the Sake of common Humanity, that there are but few ſuch. — It is like a Wretch's entering a Temple, to utter Blaſphemy. —— It is the moſt ſacrilegious Way of breaking open Tombs and robbing the dead. —— It is one of the low, paltry Artifices of *Popiſh Bigots*, who will not allow any Man to die peaceably and with a good Conſcience, out of their *own wicked and corrupt Communion*.

I know not what his *Patron* may think, or how far He may be pleaſed with this Performance; but I know what all Mankind muſt think of Him for giving *ſuch a Miſcreant* any Encouragement. I aſſure you, *Sir*, We do here look upon *this Walſingham*, not only as a little ſhuffling Writer, but likewiſe as a diſhoneſt Man, and quite unworthy of any Protection. Let Him gabble on, and tittle-tattle away his *Maſter's* Money, and his Reader's Time, in the Employment, which He hath undertaken, as an *Hackney Proſtitute*; but his licentious Pen ought to be reſtrain'd from doing Violence to the *virtuous Dead*. — I grow warm, and am afraid that nothing I can ſay, however juſt and pathetick, can move *Him*, though every Body elſe will feel and be ſhock'd at his Crime; but a Man of *ſuch Morals* is not to be touch'd. Let us leave Him then to the juſt Deteſtation of Mankind, and to that invidious Gratification, which a bad Mind may receive from reflecting on his own Guilt.

I deſign'd to have added ſome Conſiderations on the *preſent State of Affairs*; but having been diverted from it at preſent, by this infamous Attack upon a *Gentleman*, who cannot now ſpeak for Himſelf, I muſt defer my Thoughts upon that Subject to another Opportunity, and will conclude with expreſſing my Hopes and Aſſurances that no Provocation, Reſentment, or Warmth of Oppoſition will ever induce you, Mr. *D'Anvers*, to violate the Laws of Humanity ſo far, as to purſue the worſt of your *Adverſaries* beyond the Grave, and inſult their Memories, in the moſt cruel Manner, when They are call'd to Account before another Tribunal.——I am ſure ſuch an Attempt, if you were baſe enough to make it, would be treated with Abhorrence by every one of *thoſe Gentlemen*, who are call'd your *Friends*, however Mr. *Walſingham*'s *Patron* may think proper to encourage and reward Him for it.

R. *I am, SIR, Yourss, &c.*

A. B.

* * *

A New COURT BALLAD.

To the Tune of, *There was a bonny Blade.*

I.

THE Country and the Town
Are all impatient grown,
Of our *Treaties* to know what will come, come, come;
But the *Couriers of the Law*
Keep us all in ſo much Awe,
That, in Mercy to our Ears, We are dumb, dumb dumb.

II.

Some ask us what was meant
By alarming of *Kent*,
With the terrible Sound of a Drum, Drum, Drum;
But all that I will ſay,
In the News-writing Way;
As behoves a wiſe Man, ſhall be Mum, Mum, Mum.

III.

About *Dunkirk* and *Gib*
Some Tongues run very glib,

And offer us to lay a round Sum, Sum, Sum,
That *Spain* means This and That,
And *France* the Lord knows what;
But ſtill ſhall *old Caleb* be dumb, dumb, dumb.

IV.

Cries a factious Rogue, in Spleen,
What could Madam *Parma* mean,
For nothing at all to ſhew her Bum, Bum, Bum?
But in a Lady's Caſe
An Author would be baſe,
If He did not on his Lips hold his Thumb, Thumb, [Thumb.

V.

Cries another Malecontent,
When will *Donny Charles* be ſent.
With his bold *Spaniſh* Troops and a Drum, Drum, [Drum?
But ſtill I'll not reply
To ſuch Queſtions; no not I;
For I think it ſafer far to be dumb, dumb, dumb.

VI.

There are many make a Mock
About this and t'other Stock,
And ask who hath got many a Plumb, Plumb, Plumb.
But for my ſingle Part,
Let them ask with all my Heart,
For ſtill ſhall my Anſwer be mum, mum, mum.

VII.

But ſhould That e'er come to paſs,
Which all honeſt Men, alas!
Have long, but in vain, wiſh'd might come, come, come;
I'd ſoon alter my Note,
I would open my Throat,
And no more, gentle Reader, be dumb, dumb, dumb.

N.

Nº 277. SATURDAY, *October* 23, 1731.

WHAT modeſt, reaſonable, and conſiſtent Gentlemen are the *preſent*, *Advocates of Power!*—Whilſt We were engaged in examining the *Treaties* and *Negotiations* of ſome Years ſpaſt, They exclaimed very loudly againſt us, and charged us with a Deſign of fruſtrating the general Tranquility, by giving Encouragement to our Enemies, and furniſhing Them with Arguments againſt us; though it is now manifeſt that our Obſervations proved of very great Service to their *Patron*, and guided Him into the right Road of accompliſhing that deſirable End, if He is capable of purſuing it, as it was chalk'd out to Him. I am ſure, it cannot be pretended that *Thoſe*, who did Him this kind Office, have thrown any Obſtacles in his Way, or endeavoured to defeat Him in the Purſuit of it, by any unſeaſonable Enquiries into his *late Meaſures*. And what is the Conſequence of this Silence on our Side? As we were before call'd *turbulent Incendiaries*, for giving our Opinion of theſe Affairs, ſo our late Acquieſcence hath been conſtrued into an Argument of our *Defeat*, and They have accordingly triumph'd over us with repeated *Iô Pæans* of Succeſs. So that if We offer to ſpeak upon *theſe Subjects*, We are call'd *Enemies to our Country*, though their *Patron* evidently makes Uſe of our Sentiments; and if We hold our Tongues, it is ſaid to proceed from our Want of any Thing to ſay.——We have an Inſtance of This in the Conduct of that great Reaſoner, Mr. *Osborne* Himſelf; who, it muſt be confeſs'd, is a much fairer Adverſary than his Brother *Walſingham*. It is not many Months ago that He charged our Writings as the true Cauſes of all the Obſtacles, which had attended our *foreign Negotiations* for ſeveral Years paſt; and earneſtly conjured us, if We had any Regard for the Character of *Patriots*, to lay down the *Craftſman*, and thereby put a finiſhing Hand to the *publick Tranquility*. Now, though We thought this Requeſt a little too hard upon us, whilſt the Troops on the *other Side* were continued in Pay; yet We condeſcended to comply ſo far with it, as to let their *Patron* purſue his *new Schemes* without Moleſtation for ſeveral Months; and yet Mr. *Osborne* is ſo ungrateful to us for this Favour, which He vouchſafed to beg with great Importunity, that He hath taken the ſame unhandſome Advantage of our Silence with his Fellow Labourers, and join'd in the Songs of Triumph againſt us. Nay, He hath even carried his Exultations ſo far as to give us Hopes, a Week or two ago, that his *Maſter* would ſoon be in a Capacity to disband his *mercenary Writers*, without any Prejudice to the common Cauſe.—I make no Doubt that Mr. *Osborne* would be well enough pleaſed, for his own Part, to be diſcharged from this troubleſome Office, now He hath received his *Reward*; and, *finding Himſelf advancing in Years*, to retire with his *Quietus*.—For his Sake therefore, as well as for the Sake of the Publick, I heartily wiſh that their Victory may prove as compleat as They repreſent it, and that all thoſe Difficulties and Uneaſineſſes may be removed, which have been the Subject of our Debate.—Let us therefore take a ſhort Survey of our Caſe, and from thence judge what We are to expect from the *two laſt Treaties of Vienna*, and the Operations in Conſequence of them.

I preſume then that, upon the Introduction of *Don Carlos* and his Garriſons into *Italy*, (which is now drawing to the very Criſis of Execution) the *Spaniards* will immediately award full Reparation to our *injured Merchants*; inflict exemplary Puniſhment on their Officers in the *Weſt-Indies*, who have been concern'd in committing, or countenancing theſe *unparallel'd Depredations*; and expedite peremptory Orders to thei Troops, employ'd before *Gibraltar*, not only to deſiſ from carrying on any *new Forts* and *Works*, but likewiſe to demoliſh Thoſe already erected, and level the with the Ground.——The only good Reaſon, tha can poſſibly be given, why This was not done lon ago, is the natural Jealouſy of the *Spaniſh Nation* that We were not really in earneſt, when We undertook the Introduction of *Don Carlos*, and only deſigned to amuſe Them with vain Hopes; for otherwiſe, it was reaſonable to expect that They ſhoul have put a Stop to all Hoſtilities againſt us, as ſoon a the memorable Treaty of *Seville* was concluded; or at leaſt, when We had prevail'd upon the *Emperor* t come into the ſame Scheme, by the *ſecond Treaty o Vienna*, and when They ſaw us beſides actually equipping a large Squadron for their Service. But whe We ſhall have actually performed our Engagements, an put *Don Carlos* in Poſſeſſion of theſe *favourite Dominions*, the King, his Father, and the Queen, his Mother, can have no farther Pretences for delaying t give us the fulleſt Satisfaction, after We have been ſ kind as to effectuate this *great Point* for Them, i Return for all their hard Uſage, Indignities and Provocations.

When I take it for granted that the Introduction o *Don Carlos* will immediately take Place, by Virtue o *our good Offices*, (for I hope it will not be at *ou Expence,*) I muſt likewiſe ſuppoſe that all our lat Miſunderſtandings with his *Imperial Majeſty* are full adjuſted by the *two laſt Treaties of Vienna*; and therefore We may reaſonably expect that this Kingdo will no longer be at the Expence of maintainin 12,000 *Heſſian Troops*.——As much as I have bee repreſented an *Incendiary*, and an *Enemy to all wiſ Deſigns*, nobody ſhall be more ready to acknowledg his Majeſty's Goodneſs, in eaſing his People from *thi*

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rievous Burthen, without enquiring too ſtrictly what Uſe They have hitherto been, or can poſſibly be of, o the Intereſt of *Great Britain*.

As for the *Dutch*, They will certainly accede to our *ew Treaties*, as ſoon as They find it for their *Inte-eſt* ſo to do; and That, no Doubt, will be very ſoon; or without their Acceſſion and Concurrence, the very cheme of a *general Peace* will be intirely diſconcerted, nd conſequently the Triumph of *theſe Writers* will e of but ſhort Duration.

I hope, it cannot be thought unreaſonable, if We hould farther expect that *France* will be induced to nter into theſe *new Meaſures*; becauſe though I al-ays apprehended that if a *War* ſhould become ne-eſſary, the *Emperor* is a much more natural Ally nd Confederate for us than his *Chriſtian Majeſty*; yet cannot underſtand how the general Tranquility of *urope* can be ſaid to be fully eſtabliſh'd, as *theſe entlemen* have lately aſſerted with great Confidence, nleſs the *French* are included in it; much leſs, if hey ſhould continue their Reſentments againſt us r the Part we have lately acted, which They un-eaſonably call *Breach of Faith* and *Violation of the moſt lemn Engagements*, as appears by the *Converſation be-ween two Engliſhmen at the Hague*, and the * *Anſwer it*, lately publiſh'd in the *Courant*, which is really orth the Peruſal of the Curious.

I ſhall not inſiſt very much on the Concurrence of e *Northern Crowns*; becauſe I cannot ſee how *They* re concern'd in the Diſpute; at leaſt, as far as it re-tes to the *Britiſh Nation*, unleſs the *Eaſt-India Trade* ould become a new Topick of Contention; for it is id that They have a great Mind to ſhare this Com-erce with *Us* and the *Dutch*, as well as ſome *other ations*; and conſidering the faithful, honeſt and moſt equitable Method, in which ſome Gentlemen of ou *Eaſt-India* Company have lately exerciſed *that Trade,* it may perhaps be thought prudent to ſupport Them i the Monopoly of it, even at the Expence of a *nationa War.* — Indeed, I have always been ſo unhappy, fo my own Part, as to diſlike all *excluſive Companies,* eve ſuppoſing them to be *honeſtly managed,* and look upon them as baneful to *Trade* in general, and conſequently very prejudicial to the Intereſt, as well as dangerous t the Liberties of the Nation; but when We conſider the *Abuſes, Corruptions* and *Iniquities,* to which ſuch Combinations are always ſubject, and have been often detected, I can never give my Vote for involving a whole People in the Expence of a War, or in Expeditions and Negotiations, equivalent to a War, for the Support of *a few wicked Men,* who betray their Truſt and grow rich upon the Spoils of the Publick.

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* *See the* Courant *of the 1ſt, 8th and 18th Inſt.*

Having mention'd the *Eaſt India Company,* I beg Leave to quote an Obſervation of a † *late popular Writer* upon this Subject, which I believe will not be thought unſeaſonable at preſent.

" After all I have ſaid, I muſt confeſs that the " *India* Company is liable to leſs Objections than any " *other trading Monopoly*; but not for the Reaſons " They give, but for a Reaſon, which is worth an " hundred of Theirs; for as all *beneficial Trades* are " moſt ſucceſsfully carried on by *free* and *open Com-* " *merce,* ſo all *loſing ones* do leſs Miſchief when *mono-* " *polized*; and as the *firſt* ought to receive all poſſi- " ble Encouragement, ſo the *other* ought to be put " under ſuitable Diſcouragements; and ſince We can " have no Proſpect, at preſent, of *that Trade's* being " put upon an *advantageous Foot,* the next beſt Thing " We can deſire, is to let it go on upon the *preſent* " *Eſtabliſhment,* which in all Probability will ſoon " *deſtroy it,* and perhaps put it upon a good one, if

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† *See* Cato's Letters *Vol.* 3. *p.* 183.

" That can be; for it is certain, if it could be carry'd " on with its *full Swing*, it would eaſe us of every " Penny of our *Money*, and deſtroy every *Manufacture* " in the Kingdom, as well as every Man in it."— If This is good Reaſoning, which I will not take upon Me to determine, We ought never to put ourſelves to any Expence, or Difficulties, for the Support of a *Company*, whoſe *Deſtruction* would be a Benefit to the Nation. But let us return to the Subject of this Paper.

If the late Triumphs of the *Court-Writers* are well grounded, We have Reaſon to expect that the *general Tranquility of Europe*, upon a firm, equal and honourable Foundation, will be the ſpeedy and happy Effect of all our tedious Negotiations; and when our Affairs are perfectly ſettled *abroad*, We may likewiſe promiſe ourſelves that our *domeſtick Affairs* will ſoon mend on our Hands; that our *publick Expences* will be conſiderably leſſen'd; that our *Army* will be reduced as far and as faſt as the Intereſt and Safety of the Kingdom will admit; that a quicker and more effectual Progreſs will be made in the Diſcharge of our *national Debts*; that the People will be eaſed by Degrees from the *Taxes*, which are moſt burthenſome to Them; and that the *Parliament* will have Time to think of ſome wholeſome and neceſſary Laws, for the Revival of *Trade*, the Encouragement of our languiſhing *Manufactures*, and the Eſtabliſhment of our *Liberties* upon a ſolid and laſting Foundation.

Now, if the *Peace* ſhould appear to be thus perfect by its Effects, the Triumphs of the *miniſterial Writers* are, in ſome Meaſure, juſt; and I ſhall be glad to congratulate my Country upon it, without making any nice and invidious Enquiries how We came to ſtand in Need of it. Nay, I will even make ſome Abatements. I am willing to allow for the *Fluctuation of Power*, and the *Viciſſitude of human Affairs*. For this Reaſon, I have taken no Notice of the Conſequences of the *pragmatick Sanction* and the *Spaniſh Succeſſion in Italy*, upon which this Peace is founded, with Regard to *Great Britain*; though I could ſay a great deal upon thoſe Subjects, and even with the Authority of *theſe Writers* themſelves. But I ſcorn to preſs Them too far, or to ſeem rigid in my Demands. Let us only have tolerable Terms, and I dare anſwer the Nation will be eaſy. For my own Part, I aſſure Mr. *Osborne* that, whatever my *Circumſtances* may be, or whatever Opinion He is pleaſed to entertain of Me, I am ready to lay down my Pen, upon ſuch an Occaſion, and will retire as quietly as Himſelf, without any *Penſion*.

But He muſt excuſe Me, if I defer my Congratulations till the *good News* is confirm'd; and We have had ſo many fine Eſſays of late (even from his own excellent Pen) about *making Peace Sword-in Hand*, that I am ſure He would look upon Me as a very *bad Politician*, if I laid down my Arms, before it was fully concluded. I confeſs, I ſhould be very glad to ſee *one Law*, at leaſt, repeal'd and *another* paſs'd, before I quit the Field. The Reader will immediately conclude that I mean the *Septennial Act* and the *Penſion Bill*; which I muſt take the common Liberty of an *Engliſhman* to recommend, in the ſtrongeſt Manner, to the Conſideration of our *Repreſentatives*. I am willing to enter into the Examination of *theſe two Points*, or *either* of them, with any of the *miniſterial Advocates*, as calmly as They pleaſe, and without any *perſonal Reflections*, unleſs ſuch as may naturally reſult from the Debate againſt any Perſon, who ſhall diſtinguiſh Himſelf by oppoſing the general Intereſt and Inclinations of the People. *D.*

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SATURDAY

N° 278. SATURDAY, *October* 30, 1731.

Remarks on the Daily Courant, *of* Thurſday *and* Friday, *the 21ſt and 22d Inſtant.*

IT is impoſſible, in one *Weekly Paper*, to anſwer that numerous Swarm of *Writers*, who have been lately employ'd to oppoſe the *Craftſman*. But whenever any Paper hath appear'd in any Shape, which hath been generally thought to deſerve Notice, I have always been ready to take it into Conſideration. For this Reaſon, I am induced, at preſent, to beſtow ſome Remarks on an Eſſay lately publiſh'd in the *Courant*, intitled, *a ſecond Compariſon of* CATO *to the* CRAFTSMAN, which is written with ſomewhat more *Decency*, and a better Appearance of *Argument*, than is to be found in the common Rabble of our weekly Antagoniſts. Beſides, the critical Juncture of Time, when * *this Piece* was thrown into the World, lays Me under a ſort of Neceſſity to examine the Doctrine contain'd in it; becauſe it is evidently calculated to ſerve a *particular Purpoſe*, as every Body muſt be convinced, who reflects on the *preſent Circumſtances of our Caſe.*

I am ready to agree with *this Writer*, that the Controverſy about *Cato*'s *Letters* and the Writings of the *Craftſman* is of little Importance to the Publick; nor did I ever think, or contend, that *his Authority* ought to be admitted as a Proof of my *own Innocence*. I meant it only as an Argument *ad Hominem*, and to

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* *Mr*. Francklin *was then under Proſecution.*

ſhew the Folly of *thoſe Men*, who had urged it as a Proof of my *Guilt*. If the Writings of the *Craftſman* are really criminal, it is no Juſtification of them that *Cato*'s *Letters* are equally criminal, as ſome of my *Adverſaries* have allow'd; but I thought it a ſufficient Anſwer to *Thoſe*, who applauded *Cato*'s Writings, whilſt They condemn'd *mine*, nay even condemn'd *my Writings* on the Authority of *Cato*'s *Letters*, if I could prove the Deſign and Conduct of *both*, by an Induction of Particulars, to have been the ſame. This is all I intended by my late Compariſon of them; and I ſtill think that it holds good in every material Point, notwithſtanding all the Pains, which *this Writer* hath taken to prove the contrary. Nay, I look upon the very Attempt as one of the groſſeſt and moſt ſhameleſs Impoſitions on the common Underſtandings of Mankind. But let us examine the Weight of his Arguments.

He tells us, truly enough, *that the Queſtion between* Cato *and* Me *muſt be determined by the* general Drift *of our Oppoſition and its* neceſſary, *or* probable Effects *on the publick Affairs*. Well, ſo far We are agreed; and if He can find out any rational Diſtinction between our *two Caſes*, I am ready to give up the Point.

In order to This, He obſerves, "that *Cato* took up
" his Pen in that Year of univerſal Confuſion, when
" an iniquitous Combination of *Southſea Directors*, and
" perhaps of ſome *greater Perſons*, had laid a Scheme
" to ſhift the Property, the Lands of *England*, from
" the Hands of their antient Poſſeſſors, the Body of
" our *Nobility* and *Gentry*, into their *own*, and Thoſe
" of their *Friends* and *Aſſociates*; and to expoſe this
" enormous Fraud, and excite the *Legiſlature* to bring
" its Contrivers and Tranſactors to due Puniſhment,
" was the principal, the general Drift of *thoſe Papers*.
" Whereas, *ſays He*, the *Craftſman* open'd his
" *School of Sedition*, when the Nation was in an *arm'd*
" and *expenſive Poſture*, and the *Miniſters* were nego-
" tiating

" tiating in almoſt all the Courts of *Europe*, to ward " off, without a Blow, the War threaten'd, by the " firſt Treaty of *Vienna*, to our *Trade*, our *Poſſeſſions* " abroad, and even to our *Conſtitution* and *Liberties* at " home, as they reſt on the Proteſtant Succeſſion in " our preſent, royal Family." —— Now follows his Obſervation;

" Here then is the firſt great and eſſential Difference between *Cato* and the *Craftſman*. The *firſt* " oppoſed his private Sentiments and Judgment to the " Tranſactions of a Body of Men in an inferior Part " of our *domeſtick Adminiſtration*; a Point in its ſelf " of the moſt evident Nature; of which the Body " of the People of *England* were, in good Meaſure, adequate Judges; a Point, whoſe *Effects* they ſo apparently found and felt, that the Diſpute neither " was, nor could be, whether the Things done were " *wrong* or not; but how and to what Degree that " *Wrong* ſhould be puniſh'd. Whereas the main Drift " of the *Craftſman*, at leaſt his main Pretences for " writing, were Points of *foreign Adminiſtration*; " Queſtions in themſelves of the moſt difficult and " complicated Nature; and which are therefore, of " all others, the fartheſt removed from the Apprehenſions and Underſtanding of the Body of any People whatever; and cannot, without manifeſt and " glaring Inconveniencies, be made, on all Occaſions, " the Subjects of their Debate and Enquiry.

I have choſen to give the Sum of his Argument in his own Words, that I might not be accuſed of any Unfairneſs, or Miſrepreſentation; and ſhall now conſider the Force of it.

I confeſs that *Cato* made his Appearance in publick juſt after the Male-Execution of the *Southſea Scheme*; and that his principal Deſign, at his ſetting out, ſeems to have been to bring the *Offenders* to Puniſhment, and to prevent any Perſons from *ſcreening* Them; but when He found that all his Arguments had little, or no Effect, where He chiefly intended it, He turn'd the Edge of his Pen againſt the *Screener*, who had defeated his Intentions and, as He call'd it, the Juſtice of his Country.

But how can *this Writer* pretend to aſſert *that the Puniſhment of the* South-Sea Directors *and their* Aſſociates *was the general Drift of thoſe Papers?* I ſuppoſe He means of the *firſt Volume of thoſe Papers*; for the *Directors* and their *Aſſociates* were actually puniſhed, as far as the Legiſlature thought fit to puniſh Them, before the Concluſion of *that Volume*; and the *noble Lord*, who was particularly mark'd out as the Object of popular Reſentment on that Account, died before the Concluſion of the *ſecond Volume*, as I have already obſerved; ſo that the *Puniſhment of the South-Sea Directors and their Aſſociates* cannot be ſaid, without a manifeſt Abſurdity, to be the general Drift, or Deſign, of the *ſubſequent Papers*.

Neither can I allow that *Cato* confined his Oppoſition to Points of *domeſtick Adminiſtration*, though it is acknowledged that they might be the prevailing Motives to his Undertaking, as they were Grievances the moſt generally felt and complain'd of at *that Time*. The Itch of *Treaty-making* was not then grown an inveterate Diſtemper; and yet I can prove, in Contradiction to *this Writer*, that *Cato* hath made ſome ſhrewd Remarks upon it, as well as upon other Points of *foreign Adminiſtration*; nay, I dare anſwer for Him that He never ſo much as dreamt of that ingenious and moſt ſubtle Diſtinction between the *foreign* and *domeſtick Part of Government*, which hath been lately ſtarted, amongſt ſeveral other Devices, to reduce the *Liberty of the Preſs* within ſtraiter Bounds.

As for the *Craftſman*, I confeſs He open'd his *School of Sedition*, as it is very acutely term'd, ſoon after the famous *Treaty of Hanover* was concluded; and that the cloſe Conjunction between *France* and *Us*, which enſued upon it, had no ſmall Share in giving Riſe to *this Paper*, as We apprehended it to be big with fatal Conſequences to *Great Britain*. Whether our Apprehenſions have proved juſt, or not, We muſt leave to the Deciſion of the Publick. But as *Cato* did not confine his Lucubrations to *domeſtick Affairs*, ſo neither have *foreign Affairs* engroſs'd our Attention; for We have promiſcuouſly given our Thoughts upon *both*, juſt as they occurr'd to us, or the Circumſtances of Affairs render'd them ſeaſonable. We flatter'd ourſelves with an Opinion that We had a Right to examine *one*, as well as the *other*, and muſt ſtill inſiſt upon it, 'till We are put to Silence by a much higher Authority than *this Writer*, let Him be as big as He will. Yet ſince He hath made it a Point of Debate, and his Arguments may be deſign'd as a Prelude to *ſomething farther*, it cannot be thought unworthy of our Conſideration. —— Leaving *Cato* therefore to ſtand, or fall, on his own Bottom, I ſhall apply Myſelf to my own Defence, in Anſwer to *this Writer*, by examining the Force of his Diſtinction between *foreign* and *domeſtick Affairs*, which is the Foundation of his whole Eſſay.

Now the Sum of his Argument, on this Head, may be reduced to a few Words and ſtands thus. *The Body of the People are not adequate Judges of Treaties, Negotiations and other Tranſactions with* foreign Courts, *as They are of* domeſtick Affairs; *and therefore ſuch Matters do not properly belong to their Cognizance. On the contrary, as the People cannot underſtand* theſe Points, *ſo the Diſcuſſion of them, in a publick Manner, gives our Enemies an Opportunity of mingling in our Councils, and thereby furniſhes Them with an Advantage over Us, in the Negotiations of the Cabinet.* —— I hope the *Gentleman* will have no Reaſon to complain that I have either miſrepreſented the Point in Debate, or conceal'd the Force of his Argument in this State of the Caſe. I ſhall now proceed to a diſtinct Examination of it, in as few Words as poſſible.

In the firſt Place, I muſt juſt take Notice that the Doctrine, upon which *this Diſtinction* is founded, is intirely *new*, as I hinted before, and evidently calculated to ſerve a *particular Purpoſe*. When I call it a *new Doctrine*, I mean amongſt *Whig Writers*, who pretend to argue upon Principles of *Liberty* and the *Revolution*; for it is far from being *new* to the Advocates for *abſolute Power*, to which it is excellently adapted, as I ſhall prove immediately. But even the *Writers againſt us* have formerly allow'd that the *Liberty of the Preſs extends to* ALL *Matters of Government*, as well as *Religion*, without confining it to *domeſtick Affairs*. They uſed to contend, indeed, that *this great Privilege*, which is almoſt the peculiar Characteriſtick of *Engliſhmen*, ought to be exerciſed in a *decent Manner*, which no Body will pretend to deny; and ſometimes, in the Warmth of Oppoſition, have explain'd even the juſt Exerciſe of it into *Licentiouſneſs*; but They never preſumed to aſſert, till very lately, that We ought not to write upon *foreign Affairs* at all; which is ſuch a bold Leap at once, that I am at a Loſs to gueſs what will be their next Gradation. We may expect, at leaſt, to ſee *other Diſtinctions* and *Sub-diſtinctions* trump'd up, if *This* ſhould be ſuffer'd to paſs upon the World, concerning the Examination of *domeſtick Affairs*; which will preſently appear as reaſonable upon the *ſame Principle*. Thus may we live to ſee the *whole Liberty of the Preſs* curtail'd away by Degrees; and then We have the Opinion of every *good Writer*, as well as Biſhop *Hoadley*, *that all our other Liberties, of which* This *is the Baſis, will ſoon follow*. — But let us come to the Merits of the Queſtion.

I ſhall make no Scruple to grant that the *common People* cannot be ſuppoſed to underſtand the Intereſts of *Europe*, or the Tendency of *dark and intricate Negotiations*; and, perhaps, We might add that the *common People* are not the only Perſons, who often find Themſelves at a Loſs to form any rational Judgment of *theſe Affairs*; but I muſt beg Leave to give my Opinion, at the ſame Time, that even the *common*

People are endow'd with *common Senſe*, and are therefore capable of underſtanding *theſe Points*, as well as *domeſtick Affairs*, when they are explained to Them. I would ask *this Writer*, for Inſtance, whether He doth not think that a *Cobler*, or a *Porter*, is able to comprehend the bad Conſequences of too cloſe a Conjunction with *France*, or the uſeleſs Expence of maintaining *foreign Troops*, in Times of Peace, as well as the preſent State of the *national Debt*, the Nature of our *Funds*, or any other Point of *domeſtick Adminiſtration?* Is the Importance of *Gibraltar* a Matter of ſo intricate a Nature, that it is impoſſible to make the *Body of the People* underſtand it? Are They, indeed, ſuch a *brute Herd*, that the Right of the *Britiſh Flag*, the Reparation of *Dunkirk*, and the Depredations of the *Spaniards* in the *Weſt Indies* are above their Underſtanding? No, in moſt of theſe Caſes, They are as capable of judging, with a little Inſtruction, as in any Caſes of a *domeſtick Nature*; and in many of them their Judgment is ſufficiently inſtructed by their *Feeling*. This I take to be the Meaning of that Paſſage in *Cato*'s *Letters*, upon which our *Author* triumphs ſo much; where it is ſaid, *that the* People *cannot all of Them ſee diſtant Dangers, nor watch the Motions, or gueſs the Deſigns of neighbouring States; but every* Cobler *can judge, as well as a* Stateſman, *whether He can ſit peaceably in his Stall; whether He is paid for his Work; whether the Market, at which He buys his Victuals, is well provided; and whether a* Dragoon, *or a* Pariſh Officer *comes to Him for his Taxes*. That is, He can judge by the *Effects* whether the Nation is *well-govern'd*, or not; and whether it is in a *flouriſhing*, or *declining Condition*. I take This, I ſay, to be the Meaning of it, becauſe there are fifty Paſſages in *thoſe Letters* to the ſame Purpoſe——I ſhall only add, under this Head, that as the Intereſt of the *common People* is affected by the Conduct of *foreign Affairs*, as much as it is by the *domeſtick Adminiſtration*, ſo They have an equal Right to be informed about it.

But it is ſaid, on the other Side, *that the Diſcuſſion of theſe Points, in a publick and popular Way, gives our Enemies an Opportunity of mingling in our Councils, and furniſhes Them with an Advantage over Us in the Negotiations of the Cabinet.*

I ſhall not deny that there is ſome Appearance of Argument, and perhaps Truth too, in this Objection. The warmeſt Advocate for *Liberty* muſt allow that it is attended with ſome Inconveniences; and that *abſolute Monarchy* would certainly be the beſt Form of Government, if We could be always ſure of having a *wiſe* and *good Man* for our Prince; but when We conſider the Pravity of human Nature, and the Faſcination of Power, a wiſe People will always chuſe to ſubmit to the Inconveniences of a *free Government*, rather than run the Hazard of ſuffering the greateſt political Evils, by putting Themſelves in the Power of a *deſpotick Prince.*

Admitting therefore the Examination of *theſe Points*, in a publick Way, to be attended with ſome Inconveniences, what Inference is to be drawn from it? Would *this Gentleman* have *all Liberty of Writing upon them* taken away? Does He think the Nation would thrive ever the more, or that our Affairs would mend upon our Hands, if a *Miniſter* was left at Liberty to blunder on, without any Controul, in *Treaties* and *Negotiations*, which are viſibly either *weak*, or *wicked*, leſt We ſhould give our *Enemies* an Advantage by expoſing them?——The Caſe of the *Miniſter* is exactly the ſame with That of the *Prince*. If We could always be aſſured of the *Ability* and *Integrity* of Thoſe at the Helm, We could hardly truſt Them with too much Power; but if We may judge from the Experience of paſt Times, We can ſcarce put too many Checks upon Them.

I muſt conſider the Force of *this Argument* a little farther ſtill; for though the *Writer* in the *Courant* is pleaſed to confine his Argument to *foreign Tranſactions*, I will undertake to prove that it holds equally ſtrong in *domeſtick Affairs*, Can *this Gentleman* be ignorant that *general Calamities*, or *Uneaſineſſes at Home*, give our Enemies as much Advantage and Encouragement to diſturb us as the Male-Adminiſtration of our *Affairs abroad*. I ſay as much, if not more; for as *domeſtick Evils* are more generally and immediately felt than Thoſe of a *foreign Nature*; ſo expoſing our Nakedneſs, in this Reſpect, is equally prejudicial to the publick Welfare, and ought to be equally reſtrain'd. Nay, perhaps, I may venture to aſſert, upon the *ſame Principle*, that the publick Examination of *ſuch Evils* ought to be more ſtrictly reſtrain'd than the *other*; becauſe if any *foreign Court* ſhould happen to outwit us in a *Treaty*, They know it Themſelves, and do not want our Inſtruction to make their Advantage of it; whereas a *domeſtick Calamity* might eſcape their Notice, if it was not pointed out to Them by our own Comments and Diſputations.

This Argument therefore proves too much, if it proves any Thing. It proves that *Liberty* is a Curſe, inſtead of a Bleſſing to any People. It proves that all the *Checks*, which wiſe Nations have put upon their *Magiſtrates*, are prejudicial to the publick Good of Society; and conſequently that *arbitrary Power* is preferable to a *free Government*. It proves that the particular Reſtraints and Limitations, on which our *Conſtitution* depends, are only ſo many miſchievous Clogs on the Wheels of our Government, and conſequently ought to be taken away. Then farewel to the *Liberty of Parliament*, as well as to the *Liberty of writing*; for *one* may be eaſily proved to be as detrimental to our Affairs, upon this honeſt Principle of Reaſoning, as the *other*.

I have now conſider'd the Force of *this Argument*, as far as I judge it neceſſary at preſent, without any Evaſion, or Prevarication. I have expreſs'd Myſelf as clearly as poſſible; and if my Opinion is erroneous, no Body can charge Me with endeavouring to couch i in *ambiguous Terms,* that I might have an Opportunity of retracting and diſowning it, upon Occaſion. If either *this Writer,* or any other *miniſterial Advocate,* ſhall think fit to controvert what I have ſaid, upon *this Point,* I deſire no other Favour than that They will ſpeak to it as explicitly as Myſelf. Let Them tell us, in plain Terms, and without any ſhuffling, what Degree of *Liberty* They are willing to allow us, and what Points We may examine with Aſſurances of Impunity? Are We to write upon *Matters of Government* at all; or does the *Liberty of the Preſs* extend only to *religious Controverſies,* and *philological Diſputes?* Will They promiſe us that if We ſhould conſent to give up the whole Branch of *foreign Affairs* at once, They will not incroach farther upon us, and endeavour to abridge our Enquiries into Matters of *domeſtick Adminiſtration?* Do They allow that every Point, of *internal Policy,* properly falls under our Cognizance and the Judgment of the People? May We examine, with Freedom, whether our *Parliament* is really as *uncorrupt* and *independent* as it ought to be, and as I am willing to believe it? Have We a Right to enquire into the State of our *Revenues, Funds, Debts* and *Taxes*; into the Management of our *publick Companies,* and the Diſpoſition of *publick Money?* In ſhort, let Them tell us, without any Diſguiſe, what They mean by the *Liberty of the Preſs*; and how far We may venture to exerciſe it without Danger to ourſelves, or Detriment to our Country.

I began this Diſcourſe with taking Notice that it is *impoſſible* for us to anſwer all the *miniſterial Writers*; and I will conclude with obſerving that there are very obvious Reaſons, which render it *imprudent,* in many Caſes, as well as *impoſſible*; and therefore it is ridiculous, as well as mean and diſingenuous, to preſs us upon *Points,* which They know We dare not examine with ſuch a Degree of *Freedom,* as is neceſſary to ſet them in a true Light. They call upon us, in the moſt provoking Manner, to diſpute with Them, and are ſure of ſerving their Ends, in ſome Meaſure, at all Adventures; for if We decline the Controverſy, They immediately ſing *Te Deum* upon their Succeſs; but if We enter the Liſts and defeat Them, our Victory is almoſt a Proof of *Sedition*, and They have the Pleaſure of ſeeing their Cauſe revenged upon us by the *ſæcular Arm*. ——Such is the Candour of our *Adverſaries* and the Terms, upon which We are defy'd to contend with Them!

But the *Publick* hath and will continue to do us Juſtice, in this Caſe. They know our *Circumſtances*, and vill not expect unreaſonable Things at our Hands; for f I am rightly inform'd by Thoſe, who can have no ntereſt in deceiving Me, the World is rather inclined to lame us for having taken ſo much Notice of *theſe Vriters* than for not taking more. The Diſpute is rown diſagreeable to Them, as well as dangerous to urſelves. Our unalterable Attachment to their Intereſt proved, beyond all Doubt, by the very Fury, with hich We are attack'd and purſued in *more Shapes han one*, and by more than *one Kind of Weapons*. The *ublick* therefore, on whoſe *Patronage only* We rely, ill not deſire us to be ſo romantick in their Cauſe as encounter *Windmils*, and run our Heads againſt *Stone-alls*. They will excuſe us, if We ſhould be obliged confine ourſelves within thoſe narrow Bounds of *iberty*, which are already preſcribed to us, and if We ould intirely paſs by *ſome Things*, which are viſibly id as a Snare to intrap us.—*This Point* ſhall be farther plain'd hereafter, unleſs our Pens ſhould happen to wreſted out of our Hands by the Rigour of Law, the ſtrong Gripe of irreſiſtible Power. *D.*

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N° 279. SATURDAY, *Nov.* 6, 1731.

THE *fifth of November* is a Day for ever ſacred to Liberty in the *Britiſh* Annals, as it is the Anniverſary of our double Deliverance from *Popery* and *Slavery*, by the Diſcovery of the horrid *Gunpowder Plot*, in the Reign of King *James* the *firſt*, and by the auſpicious Birth and Landing of the late glorious King *William*. On both theſe Accounts, it is ſolemnly commemorated by Authority; and I have already more than once paid my particular Tribute of Gratitude to the Memory of our *great Deliverer*, on this happy Occaſion; which I ſhall never ſuffer to paſs by without ſome Obſervations ſuitable to it, unleſs I am prevented by other Subjects, or Occurrences, which demand our immediate Attention.

At preſent, I deſign to put the Reader in Mind of our Obligations to the Memory of that *glorious Prince*, by a ſummary Repreſentation of the State of our Affairs, at that Time, and the Bleſſings, which He actually procured for us.—Such a Retroſpect as This is not only agreeable to the Intention of the *Legiſlature*, in ſetting a Day apart for a ſolemn Feſtival on this Account, but is likewiſe become highly ſeaſonable at this Time, when many Perſons, who pretend to the greateſt Zeal for the *Revolution* and the *preſent Eſtabliſhment*, ſeem to have forgot the very Deſign of undertaking the *former*, and the Principles, upon which the *latter* is founded.

It is neceſſary to premiſe, that ever ſince the Death of Queen *Elizabeth*, there had been a continual Struggle between the *Prince* and the *People*, concerning *Liberty* and *Prerogative*, occaſion'd by the weak and ridiculous Conduct of King *James* the *firſt*. This Contention, which divided the Nation into two powerful Parties, broke out at laſt into a terrible civil War between his Son King *Charles* the *firſt*, and the *Parliament* of *England*, which concluded in the tragical Death of that *unhappy Prince*. The next *twelve Years* compoſed a motley Scene of Tyranny, Anarchy and Confuſion. *Thoſe*, who profeſs'd Themſelves the Champions of *Liberty*, and affected to aſſert the Cauſe of the *People*, turn'd the Arms of the People againſt their Maſters, and loaded Them with grievous Oppreſſions, under various Kinds of *rude* and *indigeſted Government*, if I may be allow'd to call it *Government* at all. This perfidious, unnatural Tyranny of *Cromwel* (more galling to a brave People than the Oppreſſions, from which He pretended to deliver Them) paved the Way, after his Death, to the Reſtoration of the *Royal Family* and our *antient Form of Government*; which was brought about, without Bloodſhed, by the general Concurrence and Approbation of the People. They were grown weary of Diſorder and Confuſion, and promiſed Themſelves a ſettled State of Happineſs, after a long Scene of Violence, Miſery and Deſolation. They had Reaſon to hope that King *Charles* the *ſecond*, whom They had generouſly recall'd to his Dominions from a long and grievous Exile, would have learn'd Experience from his *Father*'s Misfortunes, as well as his *own*, and have cautiouſly avoided the Rock, upon which He and ſo many of his Predeceſſors had ſplit. But ſuch is the ſtrange Infatuation of *Power* and *Proſperity*, that the ſtrongeſt Conſiderations and moſt recent Examples are often found too weak to withſtand it. King *Charles* was no ſooner ſeated in his Throne than He diſcover'd a manifeſt Inclination to govern independently of *Parliament*; and if it had not been for *one* or *two honeſt Men* about Him, (who happen'd to be *Patriots*, as well as *Favourites*) He would certainly have carried his Point, in the firſt Ecſtaſies of national Joy, by obtaining a *Revenue for Life*; but the Earls of *Clarendon* and *Southampton*, by their ſecret Oppoſition, defeated that pernicious Project; which occaſion'd the Fall of the *former*, ſome Years afterwards, and forced Him to end his Days in Baniſhment, from which He had been ſo inſtrumental in delivering his *royal Maſter*, by his conſtant Attendance and faithful Services. But though *this Deſign* was fruſtrated, the *Parliament* was too liberal in their Conceſſions, as They ſoon found, and arm'd Him with more Prerogatives than was conſiſtent with the Liberty of the *Engliſh* Conſtitution. Yet not contented with Theſe, He graſp'd at more; and finding Himſelf unable to rule *without Parliaments*, He endeavour'd to *corrupt* Them to his Purpoſes, and found too much Succeſs in his Endeavours. He made two, or three Attempts to ſet up a *diſpenſing Power*; but the Oppoſition He met with obliged Him to deſiſt. He ſullied the *Bench of Biſhops* with a Set of *temporizing Sycophants*; and fill'd the *Courts of Juſtice* with Men, who would bend the Laws to ſerve any Purpoſes. In ſhort, He took very large Strides towards *abſolute Power*, and was ſuſpected, at leaſt, of inclining to *Popery*. But as He was more addicted to his Pleaſures than bigotted to any Religion, ſo He was a Man of too much Senſe not to find the Subverſion of our *Conſtitution* impracticable, and therefore wiſely avoided driving Things to Extremity, however He might be privately puſh'd on to try the Experiment. Nay, He ſeem'd to be ſenſible, at laſt, that He had been betray'd into wrong Meaſures, and declared, in a Paſſion, *that if He lived but a Month longer, He would find a Way to make Himſelf eaſy for the reſt of his Life*; which Expreſſion hath been thought by many Perſons, and not without Reaſon, to have haſten'd his Death.

King *James* the *ſecond* mounted the Throne, upon his Brother's Death, amidſt the general Acclamations of his People; and the fair Promiſes He made Them, upon his Acceſſion, of maintaining their Religion, Laws and Liberties, ſeem'd to have extinguiſh'd all their former Jealouſies and Apprehenſions from his Reign. But He did not allow Them to enjoy this good Opinion of Him long; for one of his firſt Acts of regal Authority, in iſſuing forth a Proclamation *for levying the Cuſtoms, which expired with his Brother's Life*, was not only a flat Contradiction to his Speech a few Days before, but a direct Violation of one of the moſt fundamental Parts of our *Conſtitution*, which provides that no Money ſhall be raiſed upon the Subject, without Conſent of *Parliament*. *Argyle*'s and *Monmouth*'s Rebellions put a Stop to his farther Progreſs for ſome Time; but as ſoon as they were ſuppreſs'd, and He fancied Himſelf ſecurely fix'd on his Throne, He gave Himſelf an unbounded Scope, and openly ſet up a Power to diſpenſe with all our Laws and Liberties at once.

Dr. *Welwood*'s Remarks on this terrible Criſis are very juſt and affecting.

" It was not enough, *ſays He*, for King *James* to " aſſume this *diſpenſing Power*, and to act by it; but " ſuch was the Miſery and hard Fate of *England*, that " the Party about the King would have had us believe, *that a Power in the King to diſpenſe with* " *Laws was Law*. To maintain this monſtrous Poſi- " tion, there were not only *mercenary Pens* ſet at work, " but a Set of Judges found out, who, to their eternal " Reproach, did all that was poſſible for Them to " compliment the King with the Liberties of their " Country—Thus were We fallen under the greateſt " Misfortune, that could poſſibly happen to a Nation, " to have our *Laws* and *Conſtitution* trampled upon, " under Colour of *Law*; and *thoſe very Men*, whoſe " Office it was to ſupport them, became now the " Betrayers of them to the Will of the Prince.

The Nation, finding Themſelves on the very Brink of Deſtruction, naturally turn'd their Eyes on the Prince of *Orange*, and implored his Aſſiſtance in this deſperate Conjuncture of Affairs. His *Highneſs* was too nearly concern'd in Intereſt, as well as Inclination, to reject the Applications of a brave People, ſtruggling for their Liberties. He generouſly undertook their Deliverance, and accompliſh'd it with the ſame Reſolution and Prudence, which he had before diſtinguiſh'd in the Defence of his own Country. The Steps to this glorious Undertaking and the wonderful Succeſs of it are ſo recent in Hiſtory, that it would be needleſs to explain them. It is ſufficient to obſerve, in general, that the Body of the *Nobility*, *Clergy*, *Gentry*, and *Commonalty*, nay even the *Army* it ſelf, concurr'd with Him in it; and as They owed the Preſervation of their Liberties under God, to the ſeaſonable Aſſiſtance of this *immortal Prince*, ſo They fix'd the Crown, in Gratitude upon his Head.

But if the *Revolution* had been only a temporary Bleſſing, and extended no farther than the Age, in which it was accompliſh'd, We ſhould have but little Reaſon to rejoyce at preſent in ſuch a Tranſaction, and this annual Commemoration of it would be only a ſolemn Mockery upon us. The Reaſon of our Thanksgiving, upon this Occaſion, proceeds from the Benefits which We ourſelves receive from the *Revolution*, and which We ought to tranſmit, in the ſame Manner, to Poſterity. Now to form a right Notion of theſe Benefits We ought often to reflect on the State, from which We were deliver'd, and the State, in which We find ourſelves at preſent, which appears in Part from wha I have already obſerved upon the *four Reigns* immediately preceding that great Turn of Affairs; but it i proper likewiſe to take a ſhort View of the particular Advantages, which We have actually obtain'd ſince by the *Bill of Rights* and the *Act of Settlement*, in Purſuance of our *Deliverer's gracious Declaration*, upon his Landing in this Kingdom. I ſhall begin with the *Bill of Rights*, in which it is declared and for ever eſtabliſh'd, in our Favour, " 1ſt, That the pretended " Power of *ſuſpending* Laws, or the Execution of Laws, " by regal Authority, without Conſent of *Parliament*, " is illegal. 2. That the pretended Power of *diſpenſing* " with Laws, or the Execution of Laws, by regal " Authority, as it hath been aſſumed and exerciſed of " late, is illegal. 3. That the Commiſſion for erecting " the late *Court of Commiſſioners for Eccleſiaſtical Af-* " *fairs*, and all other Commiſſions and Courts, of the " like Nature, are illegal and pernicious. 4. That " levying of Money for, or to the Uſe of the Crown, " by Pretence of *Prerogative*, without Grant of *Parlia-* " *ment*, for longer Time, or in any other Manner than " the ſame is, or ſhall be granted, is illegal. 5. That " it is the Right of the Subjects to *petition* the King, " and all Commitments and Proſecutions for ſuch " *Petitioning* are illegal. 6. That the raiſing, or " keeping a *ſtanding Army* within the Kingdom in " Time of Peace, unleſs it be with Conſent of *Parlia-* " *ment*, is againſt Law. 7. That the Subjects, which " are Proteſtants, may have Arms for their Defence, " ſuitable to their Condition, and as allowed by Law. " 8. That *Elections of Members of Parliament* ought " to be *free*. 9. That the *Freedom of Speech*, and " Debates, or Proceedings in Parliament, ought not to be " impeach'd, or queſtion'd in any Court, or Place out " of *Parliament*. 10. That *exceſſive Bail* ought not to " be required, nor *exceſſive Fines* impoſed, nor *cruel* " and *unuſual Puniſhments* inflicted. 11. That *Jurors* " ought to be duly impannel'd and return'd; and " *Jurors*, which paſs upon Men in Tryals of *High* " *Treaſon*, ought to be *Free-holders*. 12. That all " Grants and Promiſes of *Fines* and *Forfeitures* of par- " ticular Perſons, before Conviction, are illegal and " void. 13. And for Redreſs of all *Grievances*, and " for the amending, ſtrengthening and preſerving of

" the Laws, *Parliaments* ought to be held fre-
" quently.

It hath been often lamented by the beſt Friends of the *Revolution* (and therefore I hope I may mention it without any Imputation of deſigning to blacken it) that this *Declaration of Rights* was far from being perfect, or adequate to the Occaſion; and that it is rather an Impeachment of the particular Miſconduct of King *James* than ſuch a general Aſſertion of our Liberties as the Nature of our Caſe required, and We had Reaſon to expect at that Juncture. Indeed, Mr. *Echard* and Biſhop *Burnet* are both pleaſed to inſinuate that the Prince of *Orange* would not conſent to any *farther Limitations*; but I am willing to think Them miſinform'd in this Particular; for the wiſe Proviſions and Limitations, to which He afterwards conſented in the *Act of Succeſſion*, are full Proofs to Me that the Happineſs and Liberty of this Nation were his chief Aim. By *this Act* it is eſtabliſh'd, amongſt other Things, that no Perſon, who ſhall be reconciled to the Church of *Rome*, ~~or~~ marry a *Papiſt*, is capable of inheriting or wearing the *Crown*; and the People are, in ſuch a Caſe, abſolved from their Allegiance. It is likewiſe provided, by the ſame and another ſubſequent Act, *that in Caſe the Crown ſhall come to any Perſon, not being a Native of* England, *this Nation ſhall not be obliged to engage in a War for the Defence of Dominions, not belonging to this Crown; that ſuch a Perſon ſhall not go out of the Dominions of* England, Scotland, *or* Ireland, *without the Conſent of Parliament; that all Matters, cognizable by the* Privy Council *ſhall be tranſacted there; and that all Reſolutions thereupon ſhall be* ſign'd *by ſuch of the ſaid Council, as ſhall adviſe and conſent to the ſame; that no Perſon, born out of the Kingdoms of* England, Scotland, *or* Ireland, *or the Dominions thereunto belonging, though naturalized or made Denizens, except born of* Engliſh *Parents, ſhall be of the Privy Council, or Member of either Houſe of Parliament, or enjoy any Office,*

Office, or Place of Truſt, or have a Grant of Lands, &c. *to Himſelf, or in Truſt for Him; that no Perſon, who hath an* Office, *or* Place of Profit, *under the King, or* Penſion *from the Crown, ſhall ſerve as a Member of the Houſe of Commons; that the Commiſſions of Judges be* quam diu ſe bene geſſerint, *and their* Salaries *eſtabliſh'd; that no Pardon, under the great Seal, be pleadable to an Impeachment by the Commons; and that all the Laws and Statutes, for ſecuring the eſtabliſh'd Religion and the Rights and Liberties of the People, be ratified and confirm'd.*

Some of *theſe Limitations* have been ſince *repeal'd*, and others *diſpenſed with*, upon particular Occaſions, by the Authority of *Parliament*, who are appointed the only Guardians and Conſervators of *this Eſtabliſhment*; but the Deſign of the *Revolution* and the Spirit, with which it was conducted, are ſufficiently manifeſted by theſe *two Acts*, which may be properly called the Baſis of our preſent happy Conſtitution.

I will therefore conclude with one Obſervation, upon the whole; that as all theſe Limitations of the Crown, upon which the Preſervation of our *Liberties* abſolutely depends, are referr'd to the Wiſdom and Integrity of *Parliament*, We ought to be, at all Times, upon our Guard, that this ſacred and ſole *Palladium* of our Liberties be kept inviolate from any Attempt of *ſecret Corruption*, as well as *open Violence*; for otherwiſe all the Hazards, which our Anceſtors ran, and all the Treaſure, which hath been expended in accompliſhing and compleating this glorious Work, may be render'd not only ineffectual, but become the Means of rivetting thoſe Fetters upon us, from which it was deſign'd to deliver us. *D.*

⁂

SATURDAY,

Nº 280. SATURDAY, *Nov.* 13, 1731.

THE *Liberty of the Preſs* hath been already conſider'd in a great Variety of Lights, in this Paper. We have explain'd and aſſerted the Reaſonableneſs and Neceſſity of it, under a *free Government*, againſt all the Objections, Miſrepreſentations and fallacious Diſtinctions, which have been urged to defeat, or weaken it. I think We may be allow'd to ſay, without Vanity, that in *this Point*, at leaſt, We have left our *Adverſaries* without one tolerable Argument on their Side. They are obliged to acknowledge the Right of *Engliſhmen*, in general, to examine *all Matters of Government and Religion*, and are reduced to a few wretched Prevarications concerning the *Exercise* of it; which may be and is often turn'd, as They obſerve very juſtly, into *Licentiouſneſs*. I call This however a wretched Prevarication; becauſe the moſt ingenuous Writers of their *own Party* have often confeſs'd that it is impoſſible to prevent this *Abuſe of Liberty*, without running a great Hazard of deſtroying *Liberty itſelf*; ſo that the only remaining Queſtion is, whether We ought to give up all the great Advantages of *Liberty*, rather than ſubmit to ſome ſmall Inconveniencies, which naturally attend it.

But there is one Point very nearly related to *this Subject*, which hath never yet been fully explain'd to the Publick; and as I think Them extreamly intereſted in it, I deſign to examine it in This, and a ſubſequent Paper. The Point I mean is This; *whether the common Method of proceeding againſt* political Writers, *under the Denomination of* Libellers, *is ſtrictly agreeable to the preſent Conſtitution of our Laws*; and if it is, *whether We can be properly ſaid to enjoy any real Liberty of writing upon Matters of* Government, *or not* — I will begin with the *Law*, as I apprehend it ſtands at preſent; but in order to judge rightly of This, it is neceſſary to look a little backwards.

In former Times, when the *Prerogative* run very high, the uſual Method of proceeding againſt *Writers*, or *Libellers*, (which are ſynonimous Terms, in all Proſecutions of this Kind) was by *Information*, in the Court of *Star-Chamber*. The Proceedings of *this Court* were originally grounded, as my Lord *Bacon* obſerves, on the *common Law*. But the Authority of it was afterwards confirm'd and enlarged by two Acts of Parliament in the Reigns of *Henry* VII. and *Henry* VIII. The Judges of *this Court* were compoſed chiefly of *Privy Counſellors*; ſo that the very *ſame Perſons* acted in the double Capacity of *Legiſlators* and *Judges*, in their *own Cauſe*, and puniſh'd Men for pretended Crimes committed againſt Themſelves as *Miniſters*; for They firſt iſſued *arbitrary Proclamations* from the *Council Board*, which had all the Force of *Laws*, in thoſe Days, and afterwards inforced them with cruel Penalties in the *Star-Chamber*.

It is natural to obſerve that *ſuch a Court* as this was capable of being turn'd to the moſt pernicious Purpoſes, by the Influence of *ambitious Princes*, or *corrupt Miniſters*, as Experience ſhew'd that it actually had been under ſeveral Reigns, and in a Multitude of Inſtances; but at length the Oppreſſions of it grew ſo exorbitant, that the People reſolved to bear them no longer, and accordingly ſuppreſs'd it by an Act of Parliament, in the Reign of King *Charles* the *firſt*, to which He gave the royal Aſſent, as a grievous and moſt tyrannical Engine of Perſecution.

It is neceſſary to obſerve farther that the Abolition of *this Court,* in ſo ſolemn a Manner, was occaſion'd in a great Meaſure, by the ſanguinary Penalties, which it had been made Uſe of to inflict upon *Writers.*

The Preamble to *this Act* having recited *Magna Charta,* and ſeveral other antient Statutes, by which it is eſtabliſh'd " That no *Freeman* ſhall be condemn'd but " by lawful Judgment of his *Peers,* nor taken by Pe-" tition, or Suggeſtion, made to the King, or to his " Council, unleſs it be by *Indictment,* or *Preſent-" ment* of good and lawful People of the ſame Neigh-" bourhood, where ſuch Deeds be done, or by Pro-" ceſs made by Writ original at the *common Law* ; " and foraſmuch as the Proceedings, Cenſures and De-" crees of the Court of *Star-Chamber* have by Expe-" rience been found to be an *intolerable Burthen to " the Subject,* and the Means to introduce an *arbi-" trary Power* and *Government* ; it is enacted, for pre-" venting the like in Time to come.

1. " That the ſaid Court of *Star-Chamber* and all " Juriſdiction, Power and Authority belonging unto, " or exerciſed in the *ſame Court,* or by any of the " Judges, Officers or Miniſters thereof, be clearly and " abſolutely diſſolved, taken away and determined, and " that from henceforth no Court, Council, or Place " of Judicature, ſhall be erected, ordain'd, conſtituted, " or appointed within this Realm of *England* or Do-" minion of *Wales,* which ſhall have, uſe, or exer-" ciſe the *ſame,* or the *like Juriſdiction* as is, or hath " been uſed, practiſed, or exerciſed in the ſaid Court " of *Star-Chamber.*

2. " It is alſo provided and enacted, that if any " Perſon ſhall hereafter be committed, or reſtrain'd " of his Liberty, or ſuffer Impriſonment by the Or-" der, or Decree of any ſuch Court of *Star-Cham-" ber,* or other Court aforeſaid now, or at any Time " hereafter, having, or pretending to have, the ſame,

" or like Juriſdiction, Power or Authority to commit or " impriſon as aforeſaid; or by the Command, or War- " rant of the *King's Majeſty*, his Heirs, or Succeſſors, " in their *own Perſon*, or by the Command, or " Warrant of the *Council-Board*, or of any of the Lords " or others of his Majeſty's *Privy Council*; that in e- " very ſuch Caſe, the Perſon ſo committed, reſtrain'd, " or impriſon'd, ſhall upon Motion made by his " Council to the Judges of the *King's Bench*, or *Com-* " *mon Pleas*, immediately have a Writ of *Habeas Cor-* " *pus* granted Him; and if any Thing ſhall be other- " wiſe wilfully done, or omitted to be done by any " Judge, Juſtice, Officer, or other Perſon, contrary " to the Direction and true Meaning hereof, the " *Party grieved* ſhall recover *treble Damages*.

I think I may call *this Act* the Foundation and Ground-work of the *Liberty of the Preſs*; as it was deſign'd to take away and for ever aboliſh the Court of *Star-Chamber*, with all its Power, Juriſdiction and Authority, which had been exerciſed in ſo grievous a Manner to the Puniſhment of *Writers*, and threaten'd the Extinction of all *Learning*, was as well as *Liberty*.

But ſoon after the Reſtoration of King *Charles* the *ſecond*, *this Act* was almoſt totally invalidated, ſo far at leaſt as it related to *Writers*, by *another Act*, intitled, *An Act for preventing Abuſes in printing ſeditious, treaſonable and unlicenſed Books and Pamphlets, and for regulating of Printing and Printing Preſſes.*— By *this Act* it is ordain'd,

1. " That no private Perſon or Perſons ſhall here- " after print, or cauſe to be printed, any Book, or " Pamphlet whatſoever, unleſs the ſame, with all and " every the Titles, Epiſtles, Prefaces, Proems, Pre- " ambles, Introductions, Tables, Dedications, and o- " ther Matters and Things thereto annex'd, be firſt " entered in the Book of the Regiſter of the Com-

“ pany of *Stationers* of *London*, (excepting *Acts of*
“ *Parliament*, *Proclamations* and Things of the ſame
“ Nature) and unleſs the ſame Book or Pamphlet,
“ with all and every the ſaid Titles, Epiſtles, *&c.*
“ ſhall be firſt lawfully *licenſed* and *authorized* to be
“ printed by ſuch Perſon and Perſons only as ſhall be
“ appointed to *licence* the ſame, according to *this Act*;
“ That is to ſay, that all Books, concerning the *common*
“ *Laws* of this Realm, ſhall be printed by the
“ ſpecial Allowance of the *Lord Chancellor*, or *Lord*
“ *Keeper* for the Time being, the *Lords Chief Juſtices*
“ and the *Lord Chief Baron* for the Time being, or
“ one or more of Them, by their or one of their Appointments;
“ and that all Books of *Hiſtory*, concerning
“ the State of this Realm, or other Books, concerning
“ *any Affairs of State*, ſhall be licenſed by the
“ *principal Secretaries of State* for the Time being, or
“ one of Them, or by their, or one of their Appointments.
“ ——Books of *Heraldry* are to be licenſed, in
“ the ſame Manner, by the *Earl Marſhal*, or the Officers
“ of the *Herald's Office*; and all other Books,
“ whether of *Divinity*, *Phyſick*, *Philoſophy*, or whatſoever
“ other Science or Art, by the Lord Arch-
“ Biſhop of *Canterbury* and the Biſhop of *London* for
“ the Time being.

2. “ It is farther ordain'd that every Perſon, who
“ ſhall be appointed a *Licenſer* by Virtue of *this Act*,
“ ſhall have a written Copy of every Book, which
“ ſhall be ſo licenſed, deliver'd to Him, which ſhall
“ be depoſited, after the ſaid Book is printed, in the
“ publick Regiſtry or Office, to which the *Licenſer*
“ belongs; as, for Inſtance, if the Book concerns
“ *Matters of State*, then the Copy is to be lodged in
“ the *Secretary's Office*, and ſo of the reſt.

3. “ It is likewiſe enacted and declared that every
“ Perſon, who ſhall hereafter print, or cauſe to be
“ printed, any Book, Ballad, Chart, *&c.* ſhall thereunto
“ print and ſet his *own Name*, and alſo declare

" the Name of the *Author*, if it ſhould be required by " the *Licenſer*, under Pain of forfeiting all ſuch Books " and having his *Preſſes*, *Letters* and *other Inſtruments* " *for Printing* defaced and made unſerviceable.

4. " It is farther ordain'd by *this Act*, that there " ſhall be no more than *twenty Maſter Printers* in *Eng-* " *land*, (beſides the *King's Printers*, and the *Printers* " allow'd for the *Univerſities*) and but *four Maſter* " *Founders of Letters for Printing*; who are to be no- " minated by the Archbiſhop of *Canterbury* and the " Biſhop of *London* for the Time being. Every *Maſter* " *Printer* is likewiſe obliged, upon obtaining his " *Licence*, to give Security, in the Sum of *three* " *hundred Pounds*, not to print, or ſuffer to be printed " in his Houſe or Preſs, any Book whatſoever but ſuch " as ſhall from Time to Time be lawfully *licenſed*.— " He is likewiſe reſtrain'd from having above *two* " *Printing Preſſes* at a Time, (the *Maſter or Wardens* " *of the Company of Stationers* excepted, who are al- " low'd *three*) without ſpecial Leave obtain'd from " the Archbiſhop of *Canterbury* and the Biſhop of " *London* for the Time being.—The Number of *Ap-* " *prentices*, whom *Printers* and *Founders of Letters* are " allow'd to keep, is likewiſe limited by *this Act*; and, " to prevent all *ſecret Printing*, the *licenſed Printers* " and *Founders* are required, under a Penalty, to find " Employment for all *Journeymen-Printers* and *Founders* " in their reſpective Trades. To the ſame Intent it is " likewiſe made penal for any Perſon to ſet up a *Print-* " *ing-Preſs*, or let any Houſe or Room for *Printing*, " or to make, forge, caſt, or import from abroad any " *Printing-Preſs*, *Iron Work*, *Letters*, or *other Mate-* " *rials for Printing*, without firſt giving Notice of it " to the Maſter, or Wardens of the Company of " *Stationers*.

5. " By the *ſame Act* a Power is likewiſe given to " one or more of his Majeſty's *Meſſengers*, by Warrant " under his *Sign manual*, or under the Hands of one

" or more of his Majeſty's *principal Secretaries of State*, " to ſearch all Houſes and Shops, where They know, " or have Reaſon to ſuſpect, that any unlicenſed Books " or Papers are printed, bound, or ſtitch'd; and to " carry them and the Offenders before one or more " Juſtices of the Peace, who are thereby authorized " and required to commit ſuch Offenders to Priſon, " there to remain until They ſhall be try'd and ac- " quitted, or convicted and puniſh'd for the ſaid Of- " fence"—By the Way, This ſeems to be a tacit Acknowledgment that *Meſſengers* and *Secretaries of State* had no ſuch Authority before by the *common Law*. Let me therefore ask whether *this Power* ſubſiſts by any Statute now in Force?

" *Laſtly*, it is ordain'd that every *Printer*, or *Founder*, " or any Perſon employ'd by Them, who ſhall be " convicted of offending againſt *this Act*, ſhall be diſa- " bled, for his firſt Offence, from exerciſing his re- " ſpective Trade for the Space of *three Years*; and, " for his ſecond Offence, be *diſabled for ever*, beſides " receiving ſuch farther Puniſhment, as by the Juſtices " of the Court of *King's Bench*, or Juſtices of *Oyer* " and *Terminer*, or Juſtices of *Aſſize* in their ſeveral " Circuits, or Juſtices of the *Peace* in their ſeveral " Quarter Seſſions, ſhall be thought fit to be in- " flicted.

Thus was the *Liberty of the Preſs* at once given up to the Power of the Court by *this Act*, which I thought proper to cite in the moſt material Clauſes and Proviſions, that the Publick might ſee the Nature of *that Power*, for the Revival of which ſo many *mercenary Writers* have been lately contending; I ſay contending; for tho' They are not yet authorized to own the *Deſign*, I defy Them to prove that their Writings, fairly interpreted, can have any *other Tendency*; ſince nothing but a *Power of this Kind*, whereſoever it may be lodged, or by whatſoever Name it may be call'd, can ever put a Stop to thoſe Evils, which are the conſtant Subjects of their Complaints and Declamations againſt the *Liberty of the Preſs*.

And here I have a fair Opportunity of warning my Countrymen againſt any Innovations, or Incroachments on their *Liberties*, by deſiring Them to reflect on the Occaſion and Circumſtances of *this Act*; which was made at firſt for *two Years only*, under the Pretence of a preſſing Exigence, and the unſettled State of Affairs at that particular Juncture; but was afterwards continued from Time to Time, as is too often the Caſe, and at laſt was very near being made *perpetual*, as I ſhall have Occaſion to obſerve in another Place. It likewiſe deſerves their Notice, that though the *Miniſters* of thoſe Times did not think fit to revive the Court of *Star-Chamber*, as They might eaſily have done at ſuch a Criſis, yet They eſtabliſh'd another Power in *Themſelves*, which ſerved the ſame Purpoſe and had the ſame Effect; for as their *Predeceſſors* put their own Edicts in Execution againſt all Perſons, who gave Them any Offence by *writing*, *ſpeaking*, or otherwiſe; ſo *They* took ſpecial Care, by *this Act*, that no Perſon ſhould *print* any Thing about *Miniſters*, or *publick Affairs*, unleſs what was firſt licenſed by *Themſelves*, or their *own Creatures*, without very great Difficulty and Danger; but as no *Prohibitions*, or *Penalties*, were ever or will ever be able to deter an injured free People from venting their Complaints, They found out another Method, or had it pointed out to Them by ſome *temporizing Lawyers*, of ſupplying all the Power of the *Star-Chamber*, which was left unreſtored by the *Licenſing Act*. They did not, indeed, erect ANOTHER COURT *with the ſame, or the like Juriſdiction* as was exerciſed in the *Star-Chamber*, and ſo far it muſt be confeſs'd They comply'd with the *Letter* of the Law; but They ſet up the *ſame*, or the *like Method* of Proſecution in the Court of KING'S BENCH, which had been aboliſh'd in the *other Court*, and thus fully renew'd one of the heavieſt Grievances, that the Nation ever groan'd under, and which the *Parliament* thought Themſelves obliged to redreſs, in ſo ſignal and memorable a Manner.

This Method of Proceeding being drawn into *Precedent* by the Strength of *Prerogative*, and for want of *ſeaſonable Oppoſition*, ſuch a terrible Uſe was made of it in the Reigns of King *Charles* and *James* the *ſecond*, as contributed not a little to raiſe that honeſt Spirit, which brought about the *late glorious Revolution*.

D.

Nº 281. SATURDAY, *Nov.* 20, 1731.

The Method of proſecuting Writers farther conſider'd.

I Said, in my laſt Paper, that the *Miniſters*, after the Reſtoration, ſet up the ſame Kind of Proſecution in the Court of *King's Bench*, which their Predeceſſors had exerciſed in the *Star-Chamber*. The Hiſtory of the Reigns of King *Charles* and King *James* the *ſecond* abounds with Inſtances and Proofs, which confirm the Truth of this Obſervation. In the Year 1680, the *Houſe of Commons* took the Proceedings of the Judges in *Weſtminſter-Hall* into Conſideration, and voted an Impeachment againſt Sir *William Scroggs*, Chief Juſtice of the Court of *King's Bench*, Sir *Thomas Jones*, one of the Juſtices of the ſame Court, and Sir *Richard Weſton*, one of the Barons of the Court of *Exchequer*, for diverſe *arbitrary* and *illegal Practices*, under the Form and Colour of Law; particularly for diſcharging the *Grand Jury* in an irregular Manner; for ſuppreſſing the Publication of a Book, call'd *the Weekly Pacquet of Advice from Rome*, by a Rule of Court; for impoſing *grievous* and *partial Fines* upon Offenders; for refuſing *ſufficient Bail* in ſeveral Caſes, which were bailable by Law; for exalting the Prerogative of the *Crown* above the Power of *Parliament*; and for authorizing one *Robert Stephens*, (call'd a *Meſſenger of the Preſs)* to moleſt ſeveral *Printers* and *Bookſellers* in the Exerciſe of their Trade, by Virtue of *illegal* and *arbitrary Warrants*; for all which Practices the *Commons* order'd Impeachments to be prepared againſt the *ſaid Judges*; but the King was adviſed to put a Stop to any farther Proceedings againſt Them, by diſſolving the Parliament.

This Interpoſition of the *Crown*, in Favour of *corrupt Judges*, not only defeated the Juſtice of Parliament, and ſcreen'd the *Offenders* from Puniſhment, but encouraged Them to proceed to far greater and more exorbitant Practices of the ſame Kind; which at laſt raiſed a general Diſaffection in the whole Nation, and ended in the Ruin of King *James*; for Sir * *John Hawles*, afterwards *Sollicitor-General*, very juſtly imputes the Succeſs of the late wonderful *Revolution* to theſe ſix Heads of Grievances; *viz. exorbitant Fines; cruel and illegal Proſecutions; outragious Damages; ſeizing the Charters; diſpenſing with the Teſt and penal Laws; and undue Proſecutions in criminal Matters.*

" For the *firſt, ſays He*, I ſhall only obſerve that " when the Houſe of Commons, in the Parliament of " 1680, took that Matter into Conſideration, and intended to impeach ſeveral Perſons for the ſame, the " *higheſt Fine*, at that Time complain'd of, was but " 1000 *l.* and yet in few Years they were heighten'd " to 10,000, 20,000 and 40,000 *l.*

" For the *ſecond*, the Puniſhment of *Oates, Dangerfield* and Mr. *Johnſon*, and the cloſe Impriſonment

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* *See his Remarks on the Trials of* Edward Fitzharris, Stephen College, *&c. State Tracts, Vol.* 2. *p.* 1. *&c.*

" of Mr. *Hampden*, Sir *Samuel Barnadiſton*, and of ſe-
" veral other Perſons, as they were againſt the *Law*,
" ſo they were without *Precedent*.

" For the *third*, though the Damages given to *Bolſ-*
" *worth* were the firſt *outrageous Damages* given,
" which were taken Notice of, and in Truth were
" ſuch; yet in little Time Damages for Matters of like
" Kind were quickly improved to 10,000 l. 20,000 l.
" 40,000 l. nay 100,000 l. the Truth of which a
" great many living Witneſſes, to their Sorrow, can
" teſtify.

As theſe *arbitrary and illegal Proceedings*, which were ſolemnly condemn'd by an *Engliſh Houſe of Commons*, had ſo great a Share in raiſing that Spirit of Liberty, which brought about the *Revolution*; it is Matter of juſt Wonder and Grief that ſufficient Care was not taken, after the Accompliſhment of *that great Work*, to prevent the like Grievances, in any Degree, for the future, by going to the Root of the Evil, and aſcertaining the Rights of the Subject, in the plaineſt and ſtrongeſt Manner. It is, I think, particularly ſurprizing that the *Liberty of the Preſs*, which had contributed ſo much to the Deliverance of the Nation, was not immediately aſſerted and reſtored to the People, by the Repeal of *that Act*, which laid it under the Reſtraint of *Licenſers*; That is, the arbitrary Power of the *Court* and their *Creatures*; but This is one of thoſe Omiſſions, which hath always been lamented in the *Bill of Rights*; and if the *Licenſing Act* had been made *perpetual* in either of the late Reigns, inſtead of its being continued from Time to Time, it is very probable that We ſhould never have been able to recover that Privilege of *Engliſhmen* to this Hour; for I do not remember that any Attempts were made to abrogate it, till it expired of Courſe in the Year 1695; (That is, ſeven Years after the *Revolution*;) and even then it was ſuffer'd to expire with great Difficulty, and after a long Struggle both within and without Doors. The

Houſe of Lords paſs'd an Act to revive it, and ſent it down to the *Commons.* The *Court Party* was very unwilling to loſe ſo great a Power, and it became at laſt the Subject of a Conference between the *Lords* and the *Commons*; at which the *latter* gave ſuch convincing Reaſons againſt reviving ſo miſchievous an Act, that the *former* thought fit to decline it. I have been inform'd that * *theſe Reaſons* were drawn up by the great Mr. *Locke*; and as they are very curious, as well as inſtructive and pertinent to the preſent Occaſion, I ſhall lay them before the Publick.

Reaſons why the Commons *cannot agree to the Clauſe* (a) *which revived the old* Printing Act, *deliver'd at a Conference with the* Lords, 1695.

1. " Becauſe it revives and re-enacts a *Law*, which " in no wiſe anſwer'd the End, for which it was " made; the Title and Preamble of the Act being to " prevent printing *ſeditious* and *treaſonable Books,* " *Pamphlets* and *Papers*; but there is no Penalty ap- " pointed for Offenders therein; They being left to be " puniſh'd at *common Law*, as They may be without " *that Act*; whereas there are great and grievous Pe- " nalties impoſed by *that Act* for Matters, wherein " neither Church nor State are any way concern'd.

2. " Becauſe *that Act* gives a Property in Books to " ſuch Perſons as ſuch Books are or ſhall be granted " to, by *Letters Patent*, whether the *Crown* had or " ſhall have any Right to grant the ſame or not, at the " Time of ſuch Grant.

3. " Becauſe *that Act* prohibits printing any Thing " before Entry made thereof in the Regiſtry of the " Company of *Stationers*, (except *Proclamations, Acts* " *of Parliament*, and ſuch Books as ſhall be appointed " by his Majeſty's Sign manual, or under the Hand

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* *Theſe Reaſons may be ſeen in the Journals of the Houſe of Lords.*

" of a principal Secretary of State) whereby both Hou-
" ſes of Parliament are diſabled to order any Thing to
" be printed, and the *ſaid Company* are empower'd to
" hinder the printing of all innocent and uſeful Books,
" and have an Opportunity to enter a Title to Them-
" ſelves and their Friends, for what belongs to, and is
" the Labour and Right of others.

4. " Becauſe *that Act* prohibits any Book to be im-
" ported (without ſpecial Licence) into any Port in
" *England*, (except *London*) by which Means the whole
" foreign Trade of Books is reſtrain'd to *London*, unleſs
" the Archbiſhop of *Canterbury* or the Biſhop of *London*
" ſhall, in Interruption of their more important Affairs
" in governing the Church, beſtow their Time gratis
" in looking over Catalogues of Books, and granting
" Licences, whereas the *Commons* think the other Ports
" of the Kingdom have as good a Right as *London* to
" trade in Books, as well as other Merchandize.

5. " Becauſe *that Act* leaves it in the Power either
" of the Company of *Stationers*, or of the Archbiſhop
" of *Canterbury* and Biſhop of *London*, to hinder any
" Books from being imported even into the Port of
" *London*; for if one or more of the Company of *Sta-*
" *tioners* will not come to the Cuſtom-houſe, or if thoſe
" reverend Biſhops ſhall not appoint any learned Man
" to go thither, and be preſent at the opening and
" viewing Books imported, the Cuſtom-houſe Officer
" is obliged to detain them.

6. " Becauſe the *Act* appoints no Time wherein
" the Archbiſhop or Biſhop of *London* ſhall appoint a
" learned Man, or that one or more of the Company of
" *Stationers* ſhall go to the Cuſtom-houſe, to view im-
" ported Books; ſo that They or either of Them may
" delay it till the Importer may be undone, by having
" ſo great a Part of his Stock lie dead, or the Books, if
" wet, may rot and periſh.

7. " Becauſe *that Act* prohibits any Cuſtom-houſe
" Officer, under the Penalty of loſing his Office, to
" open

" open any Pacquet wherein are Books, until ſome or " one of the Company of *Stationers* and ſuch learned " Men as ſhall be appointed are preſent; which is im- " practicable, ſince he cannot know there are Books " till he hath open'd the Pacquet.

8. " Becauſe *that Act* confirms all Patents of Books, " granted and to be granted, whereby the ſole printing " of all or moſt of the Claſſic Authors are and have " been for many Years paſt, together with a great " Number of the beſt Books and of moſt general Uſe, " monopolized by the Company of *Stationers*, and pro- " hibits the importing any ſuch Books from beyond " Sea, whereby Scholars in this Kingdom are forced " not only to buy them at the extravagant Price They " demand, but muſt be content with their ill and in- " correct Editions, and cannot have the more correct " Copies, which are publiſh'd abroad, nor the uſeful " Notes of Foreigners or other learned Men upon " them.

9. " Becauſe *that Act* prohibits any Thing to be " printed till *licenſed*, and yet does not direct what " ſhall be taken by the *Licenſer* for ſuch *Licence*, by " Colour whereof great Oppreſſion may be and has " been practiſed.

10. " Becauſe *that Act* reſtrains Men, bred up in " the Trade of *Printing* and *founding of Letters*, from " exerciſing their Trade, even in an innocent and in- " offenſive Way, (though They are Freemen of the " Company of *Stationers*) either as Maſters, or Jour- " neymen, the Number of Workmen in each of thoſe " Trades being limited by *that Act*.

11. " Becauſe *that Act* compells *Maſter-Printers* " to take Journeymen into their Service, though They " have no Work, or Employment for Them.

12. " Becauſe *that Act* reſtrains all Men, who are " not licenſed by the Biſhop, from ſelling innocent and " inoffenſive Books, tho' never ſo uſeful, in any Part " of *England*, except Freemen of the Company of *Sta-*

" *tioners*, who may ſell without ſuch *Licence* ; ſo that " neither Church nor State is taken Care of thereby, " but the People compell'd to buy their Freedom of " Trade in all Parts of *England* from the Company of " *Stationers* in *London*.

13. " Becauſe *that Act* prohibits any one not only " to print Books, whereof another has enter'd a Claim " of Property in the Regiſter of the Company of *Stationers*, but to bind, ſtitch or put them to Sale, and " That under a great pecuniary Penalty, though its " impoſſible for the Bookbinders, Stitchers, or Sellers, to " know whether the Book brought to Them was printed by the Proprietor, or another.

14. " Becauſe *that Act* prohibits Smiths to make " any Iron-Work for any *Printing-Preſs*, without giving Notice to the Company of *Stationers*, under the " Penalty of five Pounds ; whereas he may not know " to what Uſe the Iron beſpoke of him and forged by " him may be put.

15. " Becauſe *that Act* prohibits printing and importing not only *heretical*, *ſeditious*, and *ſchiſmatical* " *Books*, but all *offenſive Books*, and doth not determine what ſhall be adjudged *offenſive Books* ; ſo that " without Doubt if the late King *James* had continued in the Throne till this Time, Books againſt " *Popery* would have been deem'd *offenſive Books*.

16. " Becauſe *that Act* ſubjects all Mens Houſes, " as well *Peers* as *Commoners*, to be ſearch'd at any " Time, either by Day or Night, by a Warrant under " his Majeſty's Sign manual, or under the Hand of one " of the Secretaries of State, directed to any Meſſenger, " if ſuch Meſſenger ſhall, upon probable Reaſon, ſuſpect that there are any unlicenſed Books there ; and " the Houſes of all Perſons free of the Company of Stationers are ſubject to a like Search on a Warrant " from the Maſter and Wardens of the ſaid Company, " or any one of Them.

17. " Be-

17. “ Becauſe the Penalties for Offences againſt *that* “ *Act* are exceſſive, it being in the Power of the “ *Judges*, or *Juſtices of the Peace*, to inflict what “ Puniſhment They pleaſe, not extending to Life, or “ Member.

18. “ Laſtly, there is a Proviſo in *that Act* for JOHN “ STREATER, that he may print what he pleaſes, as “ if the *Act* had never been made; when the *Com-* “ *mons* ſee no Cauſe to diſtinguiſh Him from all the “ reſt of the Subjects of *England*.

The Power of the *Court* over Writers being at length determined by the Expiration of *this Act*, We became again poſſeſs'd of the Statute of King *Charles* the *firſt*, which aboliſh'd the Court of *Star-Chamber*, and all the Juriſdiction belonging to, or exerciſed by it. *This Act* therefore continuing ſtill in Force, and the *other* being expired, We ſtand upon the ſame Foot, with Regard to the *Liberty of the Preſs*, as if neither the *Star-Chamber*, nor the *Licenſing Act* had ever exiſted; and conſequently all the *Authority*, which was originally derived from *either of thoſe Fountains*, is become null and illegal.

This is a Subject, which We may perhaps take ſome farther Occaſion to explain. *D.*

Nº 282. SATURDAY, *Nov.* 27, 1731.

Remarks on the Daily Courants *of the 3d and the 11th Inſtant.*

GREAT Pains have been taken, for ſome Time paſt, particularly in the *Courant,* to ſhew the evil Tendency of writing freely upon *foreign Affairs,* and that our *conſtitutional Liberty of the Preſs* does not exempt *ſuch Writings* from the Penalties of the *Law.* As this Diſtinction between *foreign* and *domeſtick Affairs* hath been but lately ſtarted, and at a very *particular Criſis,* I had Reaſon to apprehend that it was calculated to ſerve a *particular Occaſion.* I took Notice of This in my Paper of *Oct.* 30. and conſider'd the Force of the Argument, on which the *Diſtinction* was founded, with Impartiality and, I think, with Candour; notwithſtanding which the *Writer,* who appears in *that Paper,* hath thought fit to oblige us with *three more long Eſſays* on the ſame Subject, or to the ſame Tendency, with a great deal of dull Acrimony and low Prevarication; but, at preſent, I ſhall only make ſome curſory Obſervations on the *two firſt.*

He denies that the *former Courants,* upon which I made my Animadverſions, were written with any ſuch *View,* or *Deſign,* as I imputed to Him; but He muſt excuſe Me, if I am a little hard of Belief in this Point; for the very Account, which He gives of *Himſelf* in the Papers now before Me, as well as the *Language,* in which He writes, hath enabled Me to make a pretty ſhrewd Gueſs from *what Quarter* they come; and I am not altogether ſo ignorant of the World, or ſo intirely unacquainted with a *certain Scheme* now in Agitation,

gitation, as to believe that *this Species of Writing* hath been particularly mark'd out to the Reſentment of the *civil Power*, through a long Courſe of Papers for ſeveral Weeks together, and at ſuch a *particular Juncture*, without ſome *particular Reaſon*, though He may think proper to diſown it.

If He was really ſincere in this Declaration, why does He purſue the *Hint*, *(which*, He ſays, *I have given Him)* with ſo much Zeal, in two or three ſubſequent Papers, and manifeſtly endeavour to prejudge and aggravate the Guilt of a *certain Perſon*, now under Proſecution, by making the following *particular Application of his Doctrine*; which He calls, either knaviſhly or abſurdly, a *general Obſervation*; *viz. that ſhould the Authors, or Publiſhers of that particular Paper* (meaning the *Paper* under Proſecution) *be then found guilty in the Points, on which They ſtand legally accuſed, it would be no Alleviation of their Crime, in the Eye of the Publick, that They are perhaps the very* ſame Perſons, *who, through a Series of Years, have treated the whole Thread of our publick Tranſactions in a Way ſo apparently detrimental to the Nation. It is not a* firſt; *it is not a* ſole *Offence.* —Now, with all due Submiſſion to *this worthy Advocate for Proſecutions and Severity*, I muſt inſiſt upon it that if the *Perſon*, to whom He alludes, ſhould happen to be found guilty of the Crime, with which He is charged, it will be an *Alleviation* of it in the Eye of the *Law*, as well as in the Eye of the *Publick*, that it is his *firſt*, and his *ſole Offence*; for the *Law* ſuppoſes every Man to be *innocent*, till He is found to be *otherwiſe*; and the *Perſon*, under Conſideration, hath not yet incurr'd the Cenſure of the Law for *any Offence*; nay, He hath had the Happineſs to be openly *acquitted*, after a long Trial, of a Charge of the ſame Nature, by the Juſtice of the *Court*, and the Verdict of his *Country*, to which He muſt again ſubmit Himſelf.—But I ſhall ſay no more upon this Subject, and ſhould not have ſaid ſo much, if it had not been extorted from Me by the baſe and ſcandalous Attempt of *this Writer*.

As to the late Diſpute about *Cato*'s *Letters*, which He endeavours to revive, I ſhall let it reſt as I left it before; becauſe it is of but little Importance to the Merits of the Cauſe, as I then obſerved, and I am unwilling to draw any *Gentleman* into ſuch perſonal Altercations any farther than it was neceſſary to my own Defence, when I was provoked to it by a particular Attack on his Account. Beſides, I met with the ſame candid Uſage in *this particular*, as I have in many others. The *miniſterial Writers* firſt pointed out *Cato*'s *Letters* to Me as a juſt Pattern of *political Writing*; and when I had proved that I had already trod in the *ſame Steps*, They reproach'd Me with *Breach of Friendſhip*, *Ingratitude*, and I know not what, for vindicating my own Conduct by that Pattern, which They had recommended. I ſhall therefore quote *his Works* for the future, like *other Writings*, when I think them for my Purpoſe, or of any Uſe to the Publick, without entering into any farther Diſputations about the Deſign, or Conduct of the *Writer*.

Before We come to the Merits of the Queſtion, concerning *foreign Affairs*, another Remark is neceſſary to diſentangle it from the Perplexities and Confuſion, which *this Writer* hath purpoſely thrown about it, in order to conceal his own wretched Sophiſtries and Prevarications.

In the firſt Place, I muſt obſerve that the Writer of the *Courant* hath intirely miſrepreſented the State of my Argument, in Defence of the *Liberty of the Preſs*; for he charges me with extending it to *an unbounded Right of printing what We pleaſe upon all Matters of* Government *and* Religion, *without any Regard either to* Statute, *or* common *Law*; whereas I never made Uſe of any ſuch Terms, nor ever intended any ſuch Thing; but, on the contrary, have frequently explain'd my Meaning to be, *an unreſerved, diſcretionary Power for* *every Man to publiſh his Thoughts upon any Subject, and in any Manner,* WHICH IS NOT FORBIDDEN BY THE LAWS OF THE LAND. I never contended, or deſign'd to contend, for any *Liberty of writing* beyond theſe Bounds; and whenever, or wherever, I may have pleaded for *Liberty in general,* I deſire and ought to be underſtood in *that Senſe only,* whether the *Limitation* before-mention'd be particularly expreſs'd or not; for when an Author hath once defined and explain'd his Meaning, I do not think it neceſſary for Him to trouble the Reader with repeating it every Time He hath Occaſion to write upon the ſame Subject. —— Though this egregious Miſrepreſentation of the State of my Argument is not contain'd in *either of the Papers,* which are now under Conſideration, but in a * *ſubſequent one,* I thought proper to take Notice of it in this Place, in order to give the Reader a true State of the Point in Debate, and to obviate the like Falſifications for the future.

The Queſtion between us, fairly ſtated and ſtript of all the Fallacies, with which He hath ſurrounded it, is This; *whether the* Liberty of the Preſs *does not extend to the Examination of* foreign Affairs, *as well as of* domeſtick Affairs, *within the ſame Bounds, and under the ſame Reſtraints.*

The *Writer of the Courant* aſſerted the *Negative,* in his firſt Eſſay upon this Subject; and I undertook to maintain the *Affirmative,* in my Anſwer to it. Let us therefore examine what He hath ſince advanced, by way of Argument, to ſupport his *new-fangled Diſtinction*; in which He ſeems to have the Misfortune of ſtanding *ſingle,* and without any *Second,* even amongſt the Writers of the *ſame Party*; for his learned Brother *Walſingham* hath lately vouchſafed to aſſert the *Liberty of Writing* in the moſt general, unlimited Manner; and I do not remember that Mr. *Osborne* hath

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* *Daily Courant, Nov.* 19.

any where given his Sanction to *this Diſtinction.* I muſt here obſerve another peculiar Circumſtance of our Caſe; which is, that We are often obliged to diſpute a Point with *one of theſe Writers,* which all the reſt have given up. But to proceed.

I frankly acknowledg'd, in my Remarks on *this Writer,* that the *Liberty of the Preſs* is certainly attended with *ſome Inconveniences,* whether it is exerciſed on *foreign,* or *domeſtick Affairs*; but I obſerved that *theſe Inconveniences* naturally attend *Liberty* of all Kinds, and that all Arguments drawn from the *Diſadvantages,* which ariſe from *Liberty* in general, prove too much, if they prove any Thing, and can ſerve only to recommend *arbitrary Power.*

His Anſwer to This is another direct Falſification of my Argument; for He ſays, *that inſtead of enquiring whether the Practice of examining* foreign Tranſactions *be right and neceſſary in* England, *according to our eſtabliſh'd Conſtitution, I put a general Queſtion of the Preference between* abſolute Monarchy *and* abſolute Democracy.

I call This a *direct Falſification*; for I was ſo far from putting a general Queſtion between *abſolute Monarchy* and *abſolute Democracy,* that the Queſtion I put was evidently between *abſolute Monarchy* and *free Governments of all Kinds,* particularly *our own*; which I ſpecify'd in ſuch expreſs Terms, that it was impoſſible for Him to miſunderſtand my Meaning without Deſign; for having ſhewn that the natural and neceſſary Conſequences of his Argument, againſt the Liberty of examining *foreign Affairs,* equally affected *all Liberty in general,* I proceeded thus. *It proves that the particular Reſtraints and Limitations, on which* our Conſtitution *depends, are only ſo many miſchievous Clogs on the Wheels of our Government, and conſequently ought to be taken away. Then farewel to the* Liberty of Parliament, *as well as to the* Liberty of Writing; *for* one *may be eaſily proved to be as detrimental to our Affairs,*

fairs, upon this honeſt Principle of Reaſoning, as the other.

One of the Reaſons, which He urged in his *firſt Eſſay*, againſt making Points of *foreign Policy* the Subject of *popular Debate*, was the Incapacity of the *common People* to underſtand them. In Anſwer to This, I gave my Opinion that the *common People* were as capable of underſtanding *theſe Points* as *domeſtick Affairs, when they are explain'd to Them*. The *Gentleman's* Reply to this Obſervation is of a Piece with his *other Reaſoning*, and exactly agreeable to the *Principles*, on which it is founded; That is, the *Ignorance of the People*, and the *Neceſſity of implicit Obedience to the Conduct of* Miniſters. *The* Craftſman, ſays He, *is always appealing to, and trying the Merits of* Miniſters, Negotiations *and* Treaties *by a Rule wholly chimerical, the imaginary Opinion of a* vague *and* indeterminate Publick, *which can be no Ways aſcertain'd, or collected*. But will not this Objection hold equally ſtrong againſt *political Writings of all Kinds*, addreſs'd to the *People*, whether Matters of *external*, or *internal Policy* are the Subjects of them?——I asked Him, in my *former Paper, whether He did not think that a* Cobler, *or a* Porter, *is as able to comprehend the bad Conſequences of too cloſe a Conjunction with* France, *or the uſeleſs Expence of maintaining* foreign Troops *in Times of Peace, as the preſent State of the* national Debt, *the Nature of our* Funds, *or any other Point of* domeſtick Adminiſtration?—— To the *latter Part* of this Queſtion He makes no diſtinct Reply; but expatiates, in his uſual Strain, on the extreme Difficulty of forming any right Judgment of our *late Meaſures, in the critical Junctures, in which our* Miniſters *came to their ſeveral Determinations how far They ſhould* wink *at*, *or* reſent *the ſeveral Attacks made on our Intereſts? Have We not ſtood*, ſays He, *for four or five Years, on the very Brink of an* hazardous, general War, *into which the leaſt* raſh, *or* unweighed Conduct, *in moſt* *of thoſe Points, had in all Probability plunged us?* —— Truly yes; but let Me aſk *this Gentleman*, in my Turn, by *Whom* and by *what Kind of Conduct*, We were brought into ſuch a *delicate Situation*, as He terms it in another Place; for This is a Queſtion, which very nearly affects the Intereſt of the *Nation*, as well as the Merits of his *Patron*; and I cannot help entertaining a very ſtrong Suſpicion that This is one of the principal Motives to all the late Clamour and extraordinary Methods of Reſentment againſt *any Enquiries of this Nature*.

But the *Gentleman* complains that I have evaded the Force of his Argument, and miſrepreſented the Point in Debate, concerning the evil Tendency and miſchievous Effects of *ſuch Writings* on our *Affairs abroad*, by converting all his Reaſonings into this general and indiſtinct Objection; *that ſuch Debates give our Enemies an Opportunity of mingling in our Councils, and furniſhing Them with Advantages over Us in the Cabinet; for*, ſays He, *the very Point of the Argument, on which the chief Parts of the Accuſation turns, in* my Caſe, *is This; that* ſuch Debates *give our Enemies Hopes of ſucceeding at* one Time, *if They have not at* another; *and ſo, by keeping Them ſteady in their Councils, neceſſarily tempt Them to draw out every* Negotiation, *or every War, into a much greater Length than would otherwiſe be.*——Now, for my Part, I ſtill think that the whole Weight of *this Objection* is contain'd in my general Propoſition, *that ſuch Debates furniſh our Enemies with Advantages over Us in the Cabinet*; and I muſt leave the World to judge what Reaſon He hath to complain of *Diſingenuity*, or *Prevarication*, in this Caſe; eſpecially, when I made no Scruple of owning, at the ſame Time, *that there is ſome Appearance of Argument, and perhaps Truth too, in* this Objection.

But farther, ſays He, *the Writer of* that Paper (*meaning* Himſelf) *not only lays down the general Propoſition*

poſition, of ſuch Debates *tending to make an Enemy ſtiff and produce Delays, but backs the* general Doctrine *with aſſigning diſtinctly the* Inſtances, *in which the* Craftſman's *Writings muſt have had* that Effect, *Step by Step, through the whole Series of our* paſt Tranſactions. *But as the* Craftſman *diſguiſes the* general Accuſation, *ſo He omits and overlooks the* diſtinct, particular Illuſtration *of it, without a Word of Anſwer.*—— I hope, I ſhall ſatisfy Him at laſt, by ſtating his Argument in its full Length, and in his own Words. He may believe Me, when I aſſure Him that my only Reaſon for reducing it before to a *general, ſhort Propoſition,* was to avoid *Prolixity,* (which ought always to be avoided, in *ſuch a Paper,* as much as poſſible) and not with any Deſign of concealing the *Force of his Argument,* or from any Apprehenſions of falling under the *Weight* of it. For the ſame Reaſon, I paſs'd over what He calls his *particular Illuſtration of the general Propoſition.* I apprehended that if I could evince the Uſefulneſs and Legality of *ſuch Writings in general,* notwithſtanding the *Inconveniences,* which may ſometimes attend them, it would be of little Importance to the Argument to examine diſtinctly the *particular Inſtances,* in which He endeavours to prove that *our Writings* have had a bad Influence on the late *publick Tranſactions.* We might likewiſe ſtand fairly excuſed from entering into *ſuch an Examination* in the Eyes of every candid Man, who conſiders the *Danger* of taking *ſuch a Liberty,* at preſent, and the *Difficulties,* in which we are already involved on that Account; but ſince He preſſes it upon Me, and ſeems to triumph in an imaginary Victory, I will conſider this *particular Illuſtration,* as far as I judge it conſiſtent with *Prudence* and *Self-preſervation.*—He begins thus.

Let Him, for Example, ſhew that his continued maltreating and ridiculing the Miniſters here at home *did not tend to take off from their Weight and Figure a*broad, *and conſequently impede their Negotiations.* ——

I am ready to acknowledge that the general Odium, Contempt, or Ridicule, under which a *Miniſter labours at home,* does certainly take off from his Weight and Figure *abroad,* as Experience ſufficiently inſtructs us; but *this Argument* tends, like all his others, to impugn the *Liberty of writing on any Matters of Government*, *domeſtick* as well as *foreign*; for a *Miniſter* may render Himſelf as odious, or contemptible, by his wicked Adminiſtration *at home,* as by his ſilly Conduct of Affairs *abroad*, and therefore the Diſcovery of *either*, according to *this Argument,* is equally miſchievous, and ought to be equally prevented.

I muſt here put the Reader in Mind that what I foretold, in my *firſt Paper* on this Subject, is actually come to paſs; *viz. that if* this Kind of Reaſoning *ſhould be ſuffer'd to paſs upon the World, We might expect to ſee* other Diſtinctions *and* Sub-diſtinctions *trumpt up, concerning the Examination of* domeſtick Affairs, *upon the ſame Principle of Reaſoning*. This, I ſay, is already come to paſs; for my *Adverſary* hath now broached *another Diſtinction*, or *Sub-diſtinction,* between *debating Points of domeſtick Policy, and diſcovering, or aſſerting domeſtick Facts*; the *latter* of which He thinks as miſchievous as examining Matters of *external Policy*; ſo that We ſhall ſoon ſee what Degree of *Liberty* He hath left us.—What He ſays of my Conduct, in *this particular*, is nothing to the Purpoſe; for if *his Argument* is really agreeable to the Principles of our *Conſtitution*, I muſt acknowledge Myſelf as criminal in *one Caſe*, as in the *other*.

This Method of Reaſoning hath furniſhed Me with another Obſervation on the ſame Subject; which is, that Matters of *external* and *internal Policy* are ſo interwoven and blended together in moſt Governments, particularly in our own, that it is impoſſible, in many Caſes, to divide them; for as the ill Conduct of *foreign Affairs* generally affects our *domeſtick Concerns* in a very ſenſible Manner, ſo the bad Adminiſtration of Affairs

fairs *at home* hath commonly the ſame miſchievous Influence on our Negotiations *abroad*; but I can by no means admit the Conſequence drawn by *this Writer*, that all Examination of *theſe Subjects* ought for that Reaſon to be prohibited and ſuppreſs'd; becauſe I apprehend that *ſuch a Reſtraint* would render our Condition much *worſe*, inſtead of *better*, by encouraging *bad Miniſters* to purſue thoſe Deſigns, which Ambition, Avarice, or any other wicked Motive, may dictate to Them, without any Regard to the Intereſt of their *Country*, or any Dread of *publick Examination.*

I now come to the *particular Inſtances of Miſchief*, which are ſaid to be the Effects of *my Writings*; and here again I am obliged to quote the *Gentleman's* own Words, leſt He ſhould accuſe Me of Unfairneſs, or Miſrepreſentation; but I hope He will excuſe Me, if I do not ſwell my Paper with all his *Tautologies* and *Repetitions*. —The *four great Heads of Charge againſt Me* are contained in the following Sentence.

Let him ſhew (ſays *this Author*, ſpeaking of *Me*) *that the Progreſs of* ſuch Writings *did not help to embolden the* Spaniſh Court *to inſiſt on the Stipulations in Favour of* Don Carlos; *nor afterwards ſpirit the* German *to demand our Aſſent to the* Pragmatick Sanction; *that it hath not ſince then occaſion'd the manifeſt Fears the* Spaniards *were under of our ſincerely intending to execute* that Treaty, *and thereby put Them on beginning and continuing the* Works before Gibraltar, *as a Spur to our ſo doing*; *and laſtly, that it hath not given Life to the* French *Machinations, in Oppoſition to the actual Execution of* that Treaty; *or that it may not, if continued, tend to draw yet* more and greater Inconveniences *on Us, if any of Theſe are to be conſider'd as ſuch.*

I am ſorry to hear that a *certain Gentleman* ſtands in Need of any Apology on all, or any of *theſe Accounts*; and much more ſo, that I ſhould be made the *Scape-Goat*, on ſuch an Occaſion. I was in full Expectation of ſeeing the *Introduction of Don Carlos*, and the *Guaranty of the Pragmatick Sanction*, applauded as *Meaſures highly juſt, prudent, glorious and advantageous to Great Britain*; and as for the *new Works before Gibraltar*, and the *late Machinations of the* French *Court*, I little thought, or apprehended, that they would be laid to *my Charge*, having conſtantly oppoſed the *one*, as far as a *Writer* could oppoſe them, and never given the moſt diſtant Encouragement to the *other*. It is cruel therefore to lay ſuch a Burthen upon *Me*.— Alas! my Shoulders are not half broad enough to ſupport it!

I muſt confeſs, indeed, that it is impoſſible for Me to purge Myſelf intirely from *this Accuſation*; becauſe it is impoſſible to prove what are really the *private Motives*, which actuate the Conduct of *Princes* and *States*; but I think it highly abſurd and ridiculous to ſuppoſe Them influenced, in ſo particular a Manner, by a Set of *Writers* and *Pamphleteers*, or even by a *Faction*, which hath been often call'd *inconſiderable both at home and abroad*. They have not, at leaſt, been ever yet able to defeat the Views, or Demands of the *M——r*, in the *moſt eſſential Point of Government*; and till That is once done, I apprehend that *foreign Princes* lay but little Streſs on any Oppoſition to their Meaſures.

But let us examine *this Charge* a little farther.—— The *Succeſſion of Don Carlos* was ſtipulated, long before *this Paper* was ſet up, by the *Quadruple Alliance*, as the *Writers on the other Side* have frequently urged, in Favour of their *Patron*, and ſince That by the *Treaties of Seville and Vienna*, which are very unaccountably imputed to *Thoſe*, who diſapproved them, as far as Reaſon and the Law would permit Them to do. It is equally unjuſt to lay the *new Works before Gibraltar* to the Charge of the *ſame Gentlemen*, who have always complain'd that the Defect of the *Treaty of Utrecht* was not ſupply'd by *ſubſequent Treaties*, and even pointed it out, before ſome of them were made. The *Guaranty of the pragmatick Sanction* will admit of the ſame Remark; for *We* concurr'd with the *Author of the Enquiry* in our Apprehenſions that it may one Time prove diſadvantageous to the Intereſt of *Europe*, and perhaps involve *Great Britain* in a War. As for the *late Machinations of the French Court*, We apprehend that they were occaſion'd by the * *late Treaty of Vienna*, which was negotiated and concluded without

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I ſhall make but one Obſervation more on *this Head*; which is, that if the *Succeſſion of Don Carlos*, and the *Guaranty of the pragmatick Sanction* are really *bad Meaſures* in themſelves, (as *this Writer* preſumes to inſinuate) I think the Attempt, with which We are charged, to defeat them, by *foreſtalling and anticipating the Articles of thoſe Treaties*, in which they were ſtipulated, was rather a *meritorious* than a *criminal Attempt*.

But whatever Effects *our Writings* may have produced, or whatever Encouragement they have given to our *Enemies*, the ſame Queſtion will ſtill recur; whether all the great Advantages of the *Liberty of the Preſs* ought to be given up, in order to prevent a few ſmall Inconveniences, which naturally attend *all Liberty*, as well as *this*; or, in other Words, whether *ſuch Writings* do not produce more *good Effects* than *bad ones*, and whether a *Miniſter* ought to be ſuffer'd to go on in his Meaſures, without any *popular Check*, or *Controul*, leſt the Examination of his Conduct ſhould happen to give our *Enemies* ſome Advantage.

There is one more Argument of *this Writer*, which deſerves our particular Notice. He ſays that ſuch a Method of examining *Negotiations* and *Treaties* tends to prevent the *Acceſſion of other States*; to which He adds this

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* *See the Anſwer to the* Converſation between two Engliſhmen, *&c. lately printed in the* Courant.

this wiſe Obſervation, that the worſe any *Treaty* is, the more We ſtand in Need of ſtrengthening it by *Acceſſions*, and conſequently *all Writings*, which tend to *expoſe* it, are the more miſchievous and prejudicial to the Nation.

This is an excellent Argument, in Behalf of *blundering*, or *corrupt Miniſters*; for, it ſeems, the more *weak*, or *wicked* They are, the more is it our Duty to confide and acquieſce in their Conduct. Their very *Folly* and *Iniquity* ought to ſanctify their Adminiſtration, and exempt it from Cenſure.

But if the Foundation of *this Argument* is ſolid and ſubſtantial, how ſhall we defend the Conduct of the *Whig Patriots* and the *Whig Writers*, in the Reigns of King *Charles* and King *James* the *ſecond?* How ſhall we defend the *Reverſal of thoſe Sentences*, which had been paſs'd upon Mr. *Johnſon* and *Others*, after the *Revolution?* How ſhall We defend the Writings and Conduct of the *Whigs*, at the latter End of Queen *Anne*'s Reign, in order to expoſe and defeat the Negotiations of a *general Peace*, which were then carrying on by the Authority of the Crown? —— If the preſent *M——r* hath Reaſon to complain of Difficulties and Diſtreſſes from the *Oppoſition*, which He hath met with, how much more Reaſon of Complaint had the *Miniſters of thoſe Times*, when the Nation was more violently divided into *Parties*; when the Malecontents in the *Houſe of Lords* (who were even join'd by many of the *Biſhops*) were able to carry Points againſt the *Court*; when the *monied Companies* in the City gave their Aſſiſtance to the ſame Cauſe; when ſome of the *greateſt Powers in Europe* added their Weight to the Oppoſition; and even the *Succeſſor to the Throne* encouraged it by a *ſolemn Memorial*, deliver'd in his Name? —— I mention *theſe Points*, without any Regard to *Parties*, and without any Deſign of either approving, or condemning all the Tranſactions of *thoſe Times*, but only as *Matters of Fact*, which may ſerve to illuſtrate the *preſent Argument*.

ment. It will be to no Purpoſe to ſay that the *Miniſters of thoſe Times* were oppoſed in *bad Meaſures*, and the *preſent Miniſter* is oppoſed in *good ones*; for That is only begging the Queſtion, as to the Argument, and *all Miniſters*, whether *good* or *bad*, will have the *ſame Plea*, and aſſert the *ſame Right*.

But I hope I have ſaid enough upon this Subject, and ſhall now caſt up the Account of *Liberty*, as it ſtands before us, when the Subſtractions of *this Writer* are deducted. ——— In the firſt Place, we muſt not write upon *Negotiations*, *Treaties*, or *foreign Affairs* at all; eſpecially in *critical Junctures*, and *delicate Situations*, when *ſuch Writings* are moſt uſeful and neceſſary; becauſe they may happen to give our *Enemies* an Advantage over us. Neither muſt We enter, with any Freedom, into the Examination of *domeſtick Affairs*; becauſe it tends to *diſcover Facts*, which may be productive of the ſame Evils. For this Reaſon, though *Cato* hath been lately juſtify'd and applauded, by *theſe very Writers*, for his inflaming Harangues againſt the *S. S. Directors*, We muſt not be allow'd, according to *this Argument*, to expoſe the Miſmanagement of the *charitable Corporation*, or any *other Companies* of the ſame Nature. In ſhort, the only Liberty, which He hath left us, is either to extol the *current Meaſures of the Times*, or to write *general Diſcourſes upon Government*, which have no Relation to them.

I will defy this *worthy Gentleman* to go above one Step farther; and That is, either by propoſing the Reſtoration of the *Star-Chamber*, or the Revival of the *Licenſing Act*. If the *latter Scheme* ſhould prevail in his good Opinion, I will take the Liberty to offer one Amendment. As I cannot learn that *John Streater*, of ever-famous and loyal Memory, hath left any Repreſentatives behind Him, in the *Printing Buſineſs*, I would humbly propoſe that the *ſame Exemption* may be granted to *S. Buckley*, *J. Roberts* and *J. Peele*, whoſe eminent Services to the Publick have as fully intitled Them to ſuch an extraordinary Diſtinction.

I will conclude with reminding our Readers of the great *Difficulties* and *Reſtraints*, under which *We* are obliged to write. Our *Adverſaries*, having all the Advantages of *Power* on their Side, are privileged to expatiate in what Latitude They pleaſe, and without any Regard to the *ordinary Rules of Juſtice, and Equity*, as *this Writer* hath lately done, in endeavouring to exaſperate our *Fellow-Countrymen* againſt us; whilſt We have all the *Argus-Eyes of the Law* upon us, and for that Reaſon are often obliged to remain ſilent, when We are fully able to defend Ourſelves.

D.

N° 283. SATURDAY, *Dec.* 4, 1731.

FIVE Years are now elapſed ſince I became a Servant of the Publick, and dedicated my Labours to the Uſe of the good People of *England*. I began to write, not only in an advanced Age, in the cool Evening of Life, when our Paſſions are more eaſily govern'd; but I likewiſe look'd round Me before I took my Pen in Hand, and conſider'd well my Undertaking. I knew the Nature of my Deſign, which was to combat *publick Corruption*, and correct *political Errors*, required a ſound Judgment, an honeſt Heart, and a firm Reſolution. I was not ignorant in *what Manner* I ſhould be oppoſed, nor by *Whom*. I was ſenſible what *Wealth* and *Power*, in very bad Hands, was capable of performing, and I knew very well that it would all be made Uſe of to put Me to Silence; for notwithſtanding the high Contempt, which a *certain Gentleman* affected to entertain of my Writings, He gave the World early Proofs, by his Application to the *ſecular Arm*, that they gall'd Him in a tender and very ſenſible Part. If it became an old Man to be vain, I ſhould boaſt of *this Gentleman*'s ſlighting my Eſſays, even ſuppoſing it to be real; ſince I could prove by many undeniable Inſtances that his Judgment in *Literature* is equal to his Skill in *Politicks*.

But the great Principle, which gave me Courage, and on which I principally relied, was not any overweening Opinion of my own Capacity, or Power in writing, but the Reſolution I had taken to write in the Cauſe of *Truth* and of *Liberty*. This enabled Me to purſue my Deſign ſteadily and with Vigour. This gain'd me *Friends*, *Allies* and *Patrons*. This procured Me Reputation and Weight with the *People*, whoſe Rights I have aſſerted, whoſe Grievances I have repreſented, and whoſe Cauſe in general I have pleaded. This Principle and the Conſciouſneſs of a good Intention ſupport and always will ſupport Me againſt thoſe Heaps of *miniſterial Calumny*, which are daily thrown out againſt Me. I am, indeed, become ſo much inured to the hard Words of a *Tribe of Men*, who let out their little Brains to hire for this Purpoſe, that I ſit in my Elbow Chair, and whilſt I read their empty Harangues, and ſee Myſelf call'd very ſcurvy Names in every Paragraph, I ſmoke my Pipe unmoved, and with great Tranquility. I conſider Them as doing the Drudgery of an Office, and neither deſpiſe nor pity Them.

I have been ſometimes, as my Readers know very well, call'd upon to prove, and I have proved, as far and as fully as it was convenient, that a *certain Gentleman* was a Squanderer of the publick Money; but by retaining *ſuch People as Theſe* in Penſion, He hath Himſelf manifeſted the Truth of the Charge, and ſaved

Me the Trouble of giving farther Evidence as to that Point.

I ſate down the other Evening to look calmly over my Works, and recollect the general Tenor of them, ſince I commenced this Paper; that I might be the better able to form a Judgment of what Uſe my Labours have been to the Publick, and in what Manner to direct them for the future. I thought ſuch a Review the more neceſſary at preſent, becauſe extraordinary Pains have been lately taken to prove the *evil Tendency and miſchievous Effects of my Writings*, without admitting any *publick Advantages* to have reſulted from them. Nay, it hath been aſſerted by my *Adverſaries* that I have not *proved*, nor even *attempted to prove*, one Point of general Complaint, or Cenſure, which hath been advanced through the whole Courſe of theſe Writings. I ſhall therefore take the Liberty, in this Paper, to recapitulate the principal Subjects, which I have treated during this firſt *Luſtrum* of my Warfare in the Service of the Publick, and leave the Reader to determine whether they have not been attended with ſome *good Conſequences*.

I thought it proper, at my firſt Entrance upon this Work, to explain my Deſign, and aſſert the *Liberty of the Preſs*, in a very particular Manner, as the Foundation of all my future Enquiries and Animadverſions on the State of our Affairs, both at home and abroad.

I took the Freedom to inveigh very largely, in ſeveral Papers, againſt *Bribery* and *Corruption*, which I apprehended to be Crimes of the moſt *miſchievous Nature*; though it hath ſince been maintain'd that they are *publick Virtues*, and neceſſary to the Support of a *free Government*.

I condemn'd our Allyance with *France*, in the Reign of King *Charles* the *ſecond*; and I could not diſſemble my Sentiment that too ſtrict an Union with *that Court* is always dangerous to *England*.

I was of Opinion that our Colonies and Plantations in the *Weſt-Indies* were of ſome Importance to *Great Britain*, and therefore I pleaded for their Encouragement and Support.

I made ſome Obſervations on a Book, publiſh'd at that Time by Authority, intitled an *Enquiry into the Reaſons of the Conduct of Great Britain, &c.* and have lived to ſee it intirely exploded by *all Parties*; for as I ſhew'd the falſe Reaſoning of it in many Particulars; ſo the *very Perſons*, for whoſe Service and by whoſe Direction it was written, have ſince given it up, by their Conduct, in other Points; particularly in the Affair of *Don Carlos* and the *Pragmatick Sanction*, which were repreſented in terrible Colours in *that Book*, and big with the moſt fatal Conſequences to the Peace and Ballance of *Europe*; but ſuch is the Fluctuation of human Councils, as well as of human Affairs, that they are now become the wiſeſt and moſt politick Meaſures, which could poſſibly be taken, in the preſent Conjuncture.

I ſet forth the Importance of *Gibraltar* to this Kingdom, in anſwer to Thoſe, who endeavour'd to depreciate it for vile Ends, and pointed out the pretended Articles and Stipulations, on which the *Spaniards* founded their Demands for the Reſtitution of *that Fortreſs*.

I ventured to deliver it as my Opinion that, according to the Treaty of *Utrecht*, *Dunkirk* ought not only to be *demoliſh'd*, as it was ſoon after, but never to be *repair'd*, or *made an Harbour again*; and I gave my Countrymen early Notice of ſome clandeſtine Proceedings at *that Place*, which I apprehended to be an Infraction of the *Treaty*.—The *Houſe of Commons* was afterwards pleaſed to take this Matter into Conſideration, and every Body remembers the Reſult of it.

I have often repreſented the peculiar Hardſhips, which our *Merchants* lay under by the Depredations of the *Spaniards*, and aſſerted their Right to *Retribu-*

tion, or *Repriſals*, with ſome Obſervations on the Reaſons given for not granting them *Letters of Marque*.

I have alſo frequently warn'd my Countrymen of the Dangers, which threaten our *Commerce* and our *Liberties* by the Management of *great, monied Companies* and *excluſive Monopolies*. I have explain'd the Uſe of them to *bad Miniſters*, and the Reaſons why They will always encourage them.—I wiſh the Publick may not be ſoon convinced, in too ſenſible a Manner, of the Truth of theſe Obſervations!

After This, I publiſh'd the Letters of my Correſpondents *Raleigh* and *Trot*; in which the State of *Great Britain* and the Conduct of her *Miniſters* are fully examin'd ſince the Treaty of *Hanover*.

I took Occaſion, at the ſame Time, to animadvert on the *Inſtructions* given, not long before, to Admiral *Hoſier*, and the particular Care our *Miniſters* took not to give any Offence either to our *Enemies*, or our *Friends*; though the *Spaniards*, not altogether ſo cautious, were making Captures every Week of our *Engliſh* Merchant-Ships, even on our own Coaſts, and in Sight of our Men of War.

About the ſame Time, I gave my Readers a Diſcourſe upon *Penſions*, and ſoon after another on *Non-Attendance in Parliament*; both of which met with ſuch an extraordinary Reception as the glorious Deſign and excellent Manner of treating thoſe Subjects deſerved from the Publick.

In the Year 1729 We obtain'd a Law, *for the more effectual preventing Bribery and Corruption in the Election of Members to ſerve in Parliament*; and as I had before often repreſented the Miſchiefs of *Corruption*, ſo I ſpared no Pains to extol the Wiſdom and Integrity of our Parliament in paſſing *this Act*, and to endear it to my Fellow-Subjects, as the great Palladium of all our *Liberties*.——Let us guard it carefully. Let us peruſe it often. Let us watch over it, without ceaſing, and be jealous of every, the moſt diſtant, Attempt to weaken it, or explain it away.

In the ſame Year, the memorable Treaty of *Seville* was ſigned; by which the Eſtabliſhment of *Don Carlos* in *Italy*, who had been ſet forth as ſuch a formidable Prince but a Year or two before, was ſtipulated in the moſt ſolemn Manner, and *Great Britain* was engaged to ſee the *Treaty* put in Execution; the Difficulties of which, without the Conſent of the *Emperor*, and the Conſequences of it, in Caſe He ſhould conſent, were fully explain'd by *Raleigh* and *other Writers* in this Paper.——I need not put the Reader in mind how far their Arguments and Apprehenſions have proved juſt; but I ſuppoſe it muſt be acknowledged, for our Glory, that *this great Point* is at length effectuated by the Mediation of *our Councils* and *our Fleet*.

I forgot to take Notice, in its due Place, of the ſeaſonable Opportunity, which I took to confute ſeveral idle Rumours and Stories, induſtriouſly propagated by *Jacobites*, or *other diſaffected Perſons*; particularly that a large Sum of Money would be demanded, in the enſuing Seſſion, for defraying the Expences of the *Coronation*; and that his Royal Highneſs, Prince *Frederick*, would not be ſent for into *England*, nor created *Prince of Wales*, without a farther Addition to the *Civil Liſt*. I ſhall only obſerve, upon this Occaſion, that no ſuch Sum was ever ask'd for *that Uſe*; and that his *Royal Highneſs* actually arrived in *England* before the meeting of *Parliament*, to the great Joy of the Nation, and without any Addition to the *Civil Liſt*; unleſs ſupplying the *Deficiencies* of it, in the Year 1728-9, can be properly call'd ſo; which no Man of common Senſe, or Diſcretion, will dare to affirm.

In the Year 1730, I publiſh'd the Papers, ſign'd *Oldcaſtle*, diſtinguiſhing between the *Spirit of Liberty* and the *Spirit of Faction*, with thoſe excellent Remarks on the Reigns and Characters of our *Engliſh Princes*, from *William* the *Conqueror* to *Charles* the *firſt*. Theſe Diſcourſes contain the juſteſt and moſt uſeful Reflections, that ever were publiſh'd on that nice Subject, and will laſt as long as the *Engliſh* Hiſtory, Liberty, or Language; whilſt the ſtupid and invidious Comments on them are already ſunk into that Contempt, and will ſoon ſink into that Oblivion, which they deſerve.

I have not inſiſted on the timely Check, which I gave to *a late treaſonable Deſign of raiſing Recruits for the French Service in Ireland*, nor on ſeveral other Particulars of my Writings, which have proved of great Uſe to a *certain Gentleman*, becauſe He hath already partly acknowledged the Obligation, and perhaps He may one Day think proper to do it in a more grateful Manner.

But there are ſeveral Parts of my Writings, which I am afraid will never be forgiven by *this Gentleman*; particularly my general Obſervations upon *bad Miniſters*, of all Ages and Countries; on the crooked Arts of *Some*, and the equally miſchievous Blunders of *Others*; on their pernicious Schemes for aggrandizing *Themſelves* on the Spoils of their *Country*, and ſacrificing the Welfare of a *whole Nation* to their own *private Intereſt*; on their Methods of corrupting the *People*, both in their *collective* and *repreſentative Body*, with *their own Money*, and even making the *Prince* Himſelf ſubſervient to their Deſigns.

I am likewiſe conſcious to Myſelf that I have taken the Liberty to diſcuſs ſeveral *particular Points*, which have render'd Me equally obnoxious and unpardonable in the Eyes of *this Gentleman*. I am ſenſible that my Remarks upon *Acts of Grace*, at a certain Juncture, were very ill-timed; and that my Reaſons for repealing the *Riot* and *ſeptennial Acts* did not ſquare exactly with his Schemes. I am not ignorant that the *Forage*, and *Bank Contracts* were Subjects of too *perſonal a Na-*

ture; and that any *Bill*, to prevent or puniſh *Corruption within Doors*, carries but an ill Aſpect upon his Affairs. I know very well that all Arguments for aboliſhing *Party Diſtinctions* muſt be very ungrateful in his Ears, as well as all Diſcourſes on the State of our *Debts*, the Burthen of our *Taxes*, and the Application of the *Sinking Fund*. I am fully ſatisfy'd that the Affair of the *Heſſian* Troops was a very tender Point; and that no Man, in *his Circumſtances*, could be pleaſed with ſeeing ſuch a Doctrine advanced, as That of *governing by the Affections of the People*; or with hearing it aſſerted that *large ſtanding Armies*, in Times of *Peace*, are inconſiſtent with the Principles and Spirit of the *Revolution*.

In ſhort, I am well apprized that all Attempts to ſeparate the Intereſt of the *Publick* from the Intereſt of the *Miniſter* are irremiſſible Sins before his Tribunal, and that nothing can atone for them but the Death, or Deſtruction of the Sinner.

I was however induced to review my Conduct at this Time, and put my Readers in Mind of the general Tenor of it, by a ſhort Recapitulation of my Writings. Whatever Satisfaction it may give to others, I can lay my Hand upon my Heart and ſay, with the ſtricteſt Truth, that it hath ſatisfy'd Myſelf. I think the Deſign is not only honeſt, but great and laudable, as it is calculated for the Service of my Country. If it hath not produced ſuitable Effects, it is not my Fault; but as I am convinced of the Honeſty of my Deſign, I am determined to purſue it as long as my Life, or Health, and as far as Liberty and the Laws of my Country will allow me to do it. *R. D.*

* * *

WHEREAS the ORIGINAL MAGNA CHARTA *of* England, *ſign'd by King* John *in* Runney *Mead, hath been for ſome Time miſſing, and is ſuppoſed to have been either deſtroy'd, or taken away by* ſome ill-diſpoſed Perſon, *at the late Fire at* Aſhburnham *Houſe; This is to give Notice to all Well-wiſhers to the Publick, that whoever can diſcover the* Perſon, *who robb'd the World of* this invaluable Depoſitum, *ſo that He may be brought to condign Puniſhment, or ſupply this great Loſs by* another authentick Copy of it, *free from any Interpolations, Mutilations, or Corruptions, ſhall not only be intitled to the Thanks of every true Lover of Learning, Liberty and Antiquity, but likewiſe have his Statue erected at the publick Expence.*

Nº 284. SATURDAY, *Dec.* 11, 1731.

To CALEB D'ANVERS, *Eſq;*

Mr. *D'Anvers*,

IT being at laſt determined by a Method of Reaſoning, which will admit of no Diſpute, that the *Liberty of the Preſs* does not extend to the Examination of *foreign Affairs, in critical Junctures and delicate Situations*; I ſuppoſe you will chiefly turn your Thoughts, for the future, to Matters of a *domeſtick Nature*; and if you are not otherwiſe engaged at preſent, I will take the Liberty of pointing out *one Subject, of that Kind*, which ſeems to call aloud for your Animadverſion, as it hath for ſome time employ'd the Attention and Speculation of the Publick; I mean, the preſent State of the CHARITABLE CORPORATION.

You ſeem, indeed, to apprehend that you are precluded from entering into the Examination of *this important Point*, by the late Sub-Diſtinction of a *certain Writer*, in the *Courant*, between *diſcovering* DOMESTICK FACTS, *and debating Points of* DOMESTICK POLICY; but I hope you will not pay any Regard to the Doctrine of *ſuch a ſlaviſh* and *inconſiſtent Tool*, which equally tends to the Condemnation of his *own favourite Dæmagogue*, the Author of *Cato*'s *Letters*; for if there is any ſuch Thing as a Parallel between two Caſes, That of the *South-Sea Directors*, in the Year 1720, and of the Managers of the *charitable Corporation*, at preſent, is certainly ſuch. The Inequality of the Capital, in the *latter*, makes no Difference in the Argument, nor ought it to be allowed as any Extenuation of the Guilt, if there ſhould appear to be any in the *Perſons concern'd*.

Be honeſt therefore, old *Caleb*, and do not ſuffer yourſelf to be deterr'd from ſearching *this Affair* to the Bottom, and thereby ſatisfying the general Expectation of the Publick; unleſs you ſhould happen to be ſilenced by the *ſame Authority*, which hath already reſtrain'd your Pen upon *foreign Affairs*.

I confeſs, it ſeems a little ſtrange to Me that no *political Writer* hath yet taken this Matter into Conſideration. I do not mean *yourſelf*; for you have been fully employ'd, of late, upon *other Subjects* of great Importance to the Cauſe of *Liberty*; but as you may not think it proper to purſue *thoſe Points* any farther, at preſent, I hope you will not think the Management of *this Corporation* beneath your Notice. For this Reaſon, as I am likely to be a great Sufferer myſelf, I have ſent you a few general Hints, and if I find them agreeable to your Sentiments, you may depend on being furniſh'd hereafter with ſome *particular Facts*, to ſupport them againſt our Oppoſers.

I do not deſign to enter into the Diſpute, which was agitated laſt Year, concerning the Nature of *this Undertaking*, and whether it would be advantageous, or detrimental to the Publick, ſuppoſing it to be honeſtly managed. I ſhall not, I ſay, deſcend into that Enquiry; becauſe I apprehend it to be unneceſſary at preſent, and may perhaps be thought improper for me, who was ſo far deluded myſelf, as to become a Proprietor in it, from an Opinion of its Uſefulneſs, and the Expectation of improving a ſmall Fortune, by making a little more Intereſt of my Money than was to be had in any of the *Funds*.

The Point therefore, at this Time, is not whether *ſuch a Corporation* is beneficial, or adviſeable in a trading Nation, or not; but in *what Manner* it hath been managed, and by *Whom* We are reduced to our preſent, melancholy Condition.

It is certain that a very large Sum of Money, amounting to ſome *hundred thouſand Pounds*, hath been paid in upon the *Shares*, beſides what hath been borrow'd upon the *Company's Notes*; and We have the utmoſt Reaſon to fear that a great Part of this Money hath been either embezzled, or ſquander'd away.

It hath been undeniably proved, by *Yourſelf* and *Others*, that the general Calamity, in the Year 1720, was principally occaſion'd by the great Contention between the *Bank* and the *South-Sea Company*, for the Execution of the *Scheme* then in Agitation, and to the vaſt Premium, which the *latter* paid for it. This poſſeſs'd the Generality of Mankind with that extravagant Opinion of the Value of *South-Sea* Stock, which raiſed it to ſuch an immoderate Height, and ended at laſt in the Ruin of Thouſands, by ſinking as precipitately in their Hands; ſo that the grievous Misfortunes of thoſe Times were owing, in a great Meaſure, to the general Infatuation of the People, which ſwell'd up the Stock to that exorbitant Height, and to a moſt *iniquitous Contract*, which was afterwards made, though not executed, on Purpoſe to keep that Infatuation alive. The Directors and Managers of *that Scheme* were never charged, as far as I can remember, with any Frauds, or Embezzlements of the *Company's Effects*. Nay, even Mr. *Knight* Himſelf, who thought fit to decline the Enquiry of Parliament, and retire from his native Country, retired only with his *own Acquiſitions*, and without loading Himſelf with the Guilt of robbing the *publick Treaſure*, which was intruſted in his Hands.

But *our Caſe*, at preſent, is very different in this Reſpect, and unattended with any of thoſe alleviating Circumſtances, which were pleaded in the *other*; for the Loſſes, which We have ſo much Reaſon to apprehend, and the Ruin, which ſeems to glare ſo fully in our Eyes, will not proceed from any exorbitant Riſe of our Stock, or any imaginary and unreaſonable Notions of its Value, but from the fraudulent and unparallel'd Depredations of a *few Men*, who were intruſted with our Properties, and would be ſatisfy'd with little leſs than ſeizing the *whole Capital* at once.

It is almoſt impoſſible to conceive how ſuch a ſudden Bankruptcy, as ſeems to threaten us, could be brought about by *one or two of our under Servants*, without the Participation, Knowledge, or even Suſpicion of *Thoſe*, whoſe Duty it was to ſuper-intend Them. It muſt be acknowledged, at leaſt, that They have been guilty of the moſt unpardonable *Neglect* and *Miſmanagement*, if They ſhould be able to purge Themſelves from the Guilt of *Treachery* and *Corruption*.

It gives me ſome Comfort to obſerve the Zeal, which my Fellow-Sufferers have already exerted, upon this Occaſion, in our *general Court*; and I hope They will not ſuffer it to cool, or be defeated by Thoſe, who have plunder'd us, and are viſibly endeavouring to elude all Examination into their Conduct, by ſelling out, or ſplitting the Stock amongſt their own Creatures, in order to procure a *Majority* in their Favour. For this Reaſon, let us continue firm and united in the Reſolution of keeping our *Books ſhut*, till We have an Opportunity of laying our Grievances before the *Parliament*, and imploring ſuch Relief as the Nature of them will admit.

There are ſeveral, particular Circumſtances in *our Caſe*, which will recommend us to the Compaſſion, as well as Juſtice, of our *Repreſentatives*, and therefore We can have no Reaſon to doubt of a favourable Reception.—— I have already pointed out ſome of theſe Particulars, and will juſt mention two or three more.

In the firſt Place, there are many poor Widows, Orphans and young Ladies amongſt us, whoſe whole Fortunes, or the chief Part of them, are embark'd in *this Corporation*, and who muſt therefore be reduced to the moſt deplorable Circumſtances, if They ſhould be left without Redreſs and Retribution.

There is another Circumſtance, which affects the *Pledgers of Goods*, as well as the *Proprietors*; for it hath been publickly advertiſed in the News-Papers, that *great Quantities of Goods and Effects belonging to this* Corporation, *have been ſecreted and embezzled by their late Warehouſe-keeper, who is ſince fled*; ſo that Multitudes of *poor Tradeſmen*, who were obliged to pawn their Goods, in the dead Time of the Year, will be Sufferers in this Caſe, as well as the *Perſons*, who advanced the Money upon them; not to inſiſt on the Hazard They muſt run of deſtroying their *Credit*, by demanding them, at this Time, if they are to be recover'd.—— Nothing therefore ſeems more reaſonable than that *thoſe Perſons*, who have been guilty of this double Injury, ſhould be obliged to repair it; and nothing, I fear, but the Power of *Parliament* will oblige Them to do it.

It likewiſe deſerves the Conſideration of an *Engliſh* Parliament, whether *this Affair* may not be attended with ſome farther ill Conſequences to *publick Credit* in general, if ſo notorious a *Breach of Truſt* (for ſuch, I am afraid, it will appear) ſhould be ſuffer'd to paſs unexamined, or unpuniſh'd.

We may therefore promiſe ourſelves that nothing can prevent the ſtricteſt Enquiry into *this Affair*, but our own Folly, Tameneſs, or private Views. The *Parliament* will undoubtedly receive our Petition with Candour,

dour, and examine the Contents of it, without any Regard to Parties, Allyances, Friendſhips, or Dependencies whatſoever. We have no Reaſon to apprehend any Complaints of *Screening*, or to fear any Schemes for patching up and concealing thoſe Wounds, which can be cured only by probing them to the Bottom. In ſhort, We may confidently depend upon ſeeing the whole Myſtery unravel'd, and aſſure ourſelves that every Man, who ſhall appear to be guilty of any Miſmanagement, Corruption, or Iniquity, will certainly receive the Puniſhment, which He deſerves.

I will therefore conclude with expreſſing my Hopes, in the Words of *another Gentleman*, upon the ſame Occaſion, that *this Kind of* CHARITY *will not be allow'd to cover a Multitude of Sins.*

I am, *SIR*,
Your conſtant Reader,
And humble Servant,

A. G. T.

N° 285. SATURDAY, *Dec.* 18, 1731.

I Gave this Paper the Title of the *Craftſman* with a Deſign of expoſing the Corruptions and Abuſes of all Profeſſions, as far as they ſhould come to my Knowledge; but as I apprehended *political Craft* to be the moſt miſchievous, as well as the moſt complicated and myſterious of all *Crafts*, I propoſed to beſtow my Thoughts chiefly upon it, and to trace it very minutely through all its Diſguiſes, in the Courſe of theſe Lucubrations. I flatter Myſelf, from the Reception of them, for five Years paſt, that the *Publick* in general are very well pleaſed with the Manner, in which I have hitherto proſecuted this Part of my Undertaking; and the Violence, with which I have been conſtantly oppoſed, by *ſome particular Perſons*, is a ſufficient Proof that They have not been altogether without Effect. But I have not confined Myſelf intirely to *State-Craft*; for not to inſiſt on my Diſcovery of ſome Impoſtures in the Practice of *Phyſick*, it is well known that I have already animadverted on the Abuſes of my former Profeſſion, as a *Lawyer*; and I deſign to give my Reader a freſh Inſtance of my Impartiality, in this Paper, by expoſing the Tricks of my preſent Vocation, as an *Author*.

It is impoſſible to exhauſt ſo copious a Subject in the Compaſs of one of theſe Half-Sheets, to which the *Parliament* hath wiſely reduced our *weekly Lucubrations*, without incroaching on that valuable Part of it, which my *Bookſeller* always reſerves to Himſelf, as his undoubted Privilege, for obliging the Publick with thoſe *uſeful Notices*, of all Kinds, which bring up the Rear of his Paper. Beſides, I am a better Subject, whatever my Enemies may pleaſe to ſay, or think of Me, than to ask ſo unreaſonable a Favour; for every ſingle *Advertiſement*, which ſhould be left out, upon ſuch an Occaſion, would be a clear Loſs of *one Shilling Sterling* to his Majeſty's Revenue. I am therefore obliged to confine my Obſervations, in this Diſcourſe, to the Crafts of a *political Writer*, and muſt reſerve the Artifice of *other Authors*, which are equally worthy of publick Notice, to ſome future Diſquiſition.

When a *Gentleman of the Quill* finds Himſelf prompted with an Ambition of ſerving his Country, in this Capacity, and hath laid up a ſufficient Stock of Materials for ſuch an Undertaking, his firſt Care is to work them up in proper Vehicles, and to conſider in what Manner to diſpenſe them with moſt Advantage to Himſelf, as well as Emolument to the Publick. This is what the *Trade* call *raiſing a Paper*; for it is not to be ſuppoſed that every Work, of this Kind, ſhould be able to recommend itſelf by its own intrinſick Merit, without any extraneous Aſſiſtance. There is a great Deal of Art and Induſtry required to raiſe *ſuch a Fabrick*, and to ſupport it, when it is raiſed.

As it is firſt of all neceſſary to encourage the Attention of the Publick to our Lucubrations, my *learned Brethren* have found out ſeveral Methods of doing This, without committing any Violence upon Nature, or torturing their poor Brains to no Purpoſe. I muſt do Them the Juſtice to own that, in this Particular, They are very modeſt, and ſeem conſcious of their own Strength. They are Maſters of the greateſt human Knowledge, the *Knowledge of Themſelves*; and foreſeeing the Impoſſibility of riſing into Notice and Diſtinction by the Force of *Reaſon*, *Wit*, *Humour*, or Excellence of any Kind, very prudently reſort to *other Arts*, which I ſhall now proceed to explain.

A well-choſen *Title-page* hath been always eſteem'd an eſſential Point amongſt us *modern Writers*; a neceſſary Qualification to captivate the good Opinion of the Publick. I could mention *ſome Artiſts*, in this Town, who have ſupported Themſelves and their Families, for many Years, by this Kind of Learning, and their Skill in accommodating the Works of other Men, under a *ſpecious Inſcription*, to the Palate of the People; juſt as ſome Vintners hang out a *fine*, *gilded Buſh*, to recommend their *ſtumm'd Wine*. I have been told that it was one of *theſe Adepts*, who aſſiſted Mr. *Walſingham*, at his firſt ſetting out in the World, and finding the *Country-Party* to be infinitely the moſt numerous and popular, adviſed Him to fight, like a Spy, in the Camp of *Liberty*, and to intitle his venal Rhapſody, in Defence of *Courts* and *Miniſters*, the FREE BRITON.

Some of my *Brother Journaliſts* have gone farther, and endeavour'd to puſh Themſelves into Obſervation, by appearing at firſt on the *popular Side*, with no other View than being *bought off*, and *ſetting Themſelves to Market*. I could mention ſeveral of my *Cotemporaries*, who have practiſed this Stratagem; and Some, who have ſucceeded in it. I would not be thought to mean the original Authors of the *London* and *Britiſh Journals*; for I have been told that the Defection of the *former Paper* was ſuborn'd without their Conſent; and it is well known that the *latter* unhappily fell into the Hands of one *Roger Manley*, Eſq; (a near Relation, as it is ſaid, of Mr. *Walſingham*) from whom it received its Death-wound, and ſoon afterwards expired in a languiſhing and moſt miſerable Manner.

I beg Leave to make an Obſervation or two on this Practice of ſeducing *Writers* from their Duty, or encouraging Them to write with ſuch a Proſpect.

In the firſt Place, I muſt ſubmit it to the Judgment of the learned World, whether ſuch Methods do not tend to undermine the *Liberty of the Preſs*, which may be deſtroy'd, like ſome other Bulwarks of our Conſtitution, by *ſecret Corruption*, as well as by *open Violence*; and as the great Inſtrument of Corruption is engroſs'd by *thoſe Gentlemen*, who have the Diſpoſition of the Purſe, We rarely ſee any Converts made on the *contrary Side*.

Beſides, if *this Practice* ſhould continue to be encouraged, it may prove in Time inſupportably burthenſome as well as dangerous to the Commonwealth; for every Man, whoſe Principles of Morality ſit but looſely about Him, will be eaſily tempted by ſuch Examples to draw his Pen againſt *Thoſe*, who have the Power of ſilencing Him in ſo agreeable a Manner; and thus We may live to ſee a *ſtanding Army of Scribblers* kept up in conſtant Pay, who may be put to *other dirty Work*, upon Occaſion, beſides *Writing*.——But I ask Pardon for this Digreſſion, and will now return to my Subject.

The Practice of correſponding with Ourſelves, and complimenting Ourſelves is well known and common to all *political Writers*. I muſt be ſo impartial as to own that I have been often guilty of this Frailty myſelf and writ ſeveral complaiſant Letters to Mr. *D'Anvers*, when I found other Perſons deficient in thoſe Acknowledgments, which his Labours deſerved from the Publick. I mention This as a Proof of my Ingenuity, and to put the ſaid Publick in Mind of their Duty, that I may not be obliged, for the future, to act ſo irkſome and diſagreeable a Part as That of commending, or juſtifying Myſelf.

But there is another Artifice, in the Myſtery of *Authorſhip*, which I can truly ſay I have never yet practiſed, nor had Occaſion to practiſe; I mean That of anſwering Myſelf and abuſing Myſelf, in order to gain the Notice and Attention of the World. I am ſenſible that the Writings of my *Adverſaries* have given the Publick ſome Suſpicion of this Kind; but I hope the Manner, in which they are propagated, will be ſufficient to clear Me from any ſuch Imputation; and I could appeal to a *Gentleman*, of great Diſtinction, who knows to his Coſt that I am perfectly innocent in this Reſpect.

I ſhould be juſtly chargeable with acting a very ungenerous Part, if I did not take Notice, in this Place, of my reverend Adverſary, the *learned Orator of Clare-Market*, who is the greateſt Maſter of one Craft in writing of any modern Author whatſoever, and hath practiſed it, for ſome Years paſt, with amazing Succeſs. I mean thoſe modeſt Recommendations of his Works, which appear every Week in the News-Papers, to beſpeak the good Opinion of the Town, and anticipate the Applauſe of his Readers. This is what ill-natured Criticks have endeavour'd to ſtigmatize by the Name of *Puffing*; but Men of Candour look upon them only as proper Memorials to an ignorant and cenſorious Age, which is apt to overlook the Labours of the Learned without ſuch timely Hints and Notices of their Value. As for Myſelf, I ſhould have often loſt the Satisfaction of reading thoſe elegant and entertaining Performances, intitled the *Hyp-Doctor*, if my Curioſity had not been previouſly raiſed by the kind Informations from *White*'s, *Tom*'s, and other publick Offices of Intelligence in this great Metropolis.

When an Author hath introduced Himſelf by theſe, or any other Arts, into the Knowledge and Acquaintance of the Publick, He muſt expect to draw down the Envy and Ill-will of his Brethren. I ſpeak it from Experience, that the Buſineſs of a *popular Writer* is a very obnoxious and dangerous Station. I can compare it to nothing but That of a *great Stateſman*, who hath a Multitude of Enemies, Rivals and Competitors. Ambition, Diſappointment and Revenge work as ſtrongly againſt *Us*, as againſt the *practical Politician*. Like *Him* too We run great Perils, and are often put to a *violent Death*. The only Difference is, that We commonly die lamented, and are follow'd to the Grave with the Bleſſings of the People.

For my own Part, I cannot tell how long I ſhall be able to hold out. It muſt be ſuppoſed that my *natural Conſtitution* is ſomewhat impair'd by old Age; but I thank Heaven my *political Health* is as vigorous as ever, and I hope will laſt many Years longer, unleſs it ſhould receive ſome *accidental Shock*, which no Man can foreſee, or prevent.

But I muſt beg Leave to complain of ſome Arts, made uſe of by my *Adverſaries*, which I think very ungenerous, and what may be properly call'd *foul Play*.

Whenever They think fit to extol the Lenity of their *Patron*, They write in an high Strain of *Liberty*, and provoke us to anſwer Them in the ſame Manner; but as ſoon as a *Proſecution* is commenced againſt us, for taking the Freedom, which They encourage us to take, They deſert the Subject at once, and leave us to the *ſæcular Arm*.

They have likewiſe practiſed another Trick, which I have mention'd before, of ſhifting their Papers, and taking ſeparate Parts in the Controverſy. Thus the *Free-Briton*, for Inſtance, condemns all Proſecutions by *Information*, grounded on the *common Law*, which He puts on the ſame Foot with Proſecutions in the *Star-Chamber*; and the Author of the *London Journal* delivers it as his Opinion that the *Jury* ought to be Judges of the *Law*, as well as the *Fact*; That is to ſay, in his own Words, *They are Judges of the* Nature *of the Thing publiſh'd, and whether it be a* Libel, *or not*. At the ſame Time, *another Writer*, who appears in the *Daily Courant*, under the ſame Patronage and Encouragement, inveighs againſt us in the moſt virulent Style, for aſſerting the ſame Doctrine, which He calls an *Inſult upon the Magiſtracy and the Law*.

Though I have thought fit to decline the Proſecution of *this important Subject*, at preſent, for ſome prudential Reaſons, which I need not explain, my Readers may be aſſured that I am prepared with ample Materials to finiſh that Enquiry at a proper Opportunity.

After what I have ſaid, I have no Occaſion to own that the Tricks and Subtleties of my *Adverſaries* have prevail'd, in ſome Meaſure, againſt Me. They may now defy Me to enter upon ſeveral Subjects, of the greateſt Importance, without any Danger of Contradiction. My only Reply, upon all ſuch Points, is very ready and ſhort. —— *I am ſtruck dumb. I am confuted by* LAW. *D.*

N° 286. SATURDAY, *Decem.* 25, 1731.

THOUGH *Self-Defence* is the ſtrongeſt Principle of Nature, and allow'd to be the moſt juſtifiable, yet the Practice of it is generally ungrateful to one's ſelf, as well as obnoxious to the Cenſure of others. We are all apt to be guilty of ſome Partiality, where *our own Intereſt* is immediately concern'd, and are always ſuſpected of it, whatever

Precautions or Reſolutions We may take to avoid the Guilt, or prevent the Suſpicion of it. Men of thinking and generous Minds, being ſenſible of this human Frailty, and the general Prejudice of the World againſt what a Writer advances in his *own Juſtification*, often ſay leſs than They really ought, and much leſs than They would have ſaid in Behalf of *another*. Nay, even Reaſon itſelf loſes ſome of its Weight by becoming *perſonal*, and the ſame Arguments, which gain Strength, in *one Caſe*, by the Appearance of Generoſity and Friendſhip, are weaken'd, in the *other*, by carrying an Air of Selfiſhneſs and private Intereſt.

This is the Reaſon, which induced Me, in my laſt Paper, only juſt to touch upon ſome of the ungenerous Arts, made Uſe of by my *Adverſaries*, and to decline any particular Defence of Myſelf, with Regard to a *late Trial*, in which I may be thought too much concern'd to ſpeak with Candour and Impartiality. I was apprehenſive, beſides, that it might not be altogether ſafe to deliver my Sentiments upon a Subject, which is already determined in a *legal Method*. I contented Myſelf therefore with ſome general Obſervations on the Conduct of my *Adverſaries* in this Affair, without any ſuch Inſinuations againſt the Gentlemen of the *Jury*, as They threw out, upon a former Occaſion, when Mr. *Francklin* was acquitted. The *Sheriffs*, in that Caſe, were accus'd of *Packing*; the *Jury* of *Corruption* and *Perjury*; and We our ſelves of *Subornation*. I make no Doubt that if We had been ſo happy, in the preſent Caſe, as to have had a Verdict in our Favour, *theſe very Gentlemen* would have received the like Treatment, and been branded, in the ſame courtly Style, as a * *Set of infamous Fellows, who clear'd* D'Anvers *of the Guilt of his Libel, and very wiſely and honeſtly took it to Themſelves*. But theſe are Privileges, which peculiarly belong to the *Writers on the other Side*; who ſeem authorized to aſperſe whom They pleaſe, in the groſſeſt Manner, with Impunity. Our Duty is Submiſſion, Reſignation and Silence. We muſt not complain of any Hardſhip, whatever Reaſon of Complaint our own private Opinion may ſuggeſt to us. We are not allow'd to remonſtrate againſt the Deciſion of the *Law*, or to caſt any Reflections on that *Verdict*, which hath been pronounced againſt us.

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* *See the* Craftſman, *Vol.* 5. *p.* 239.

But ſince the *miniſterial Writers* have thought fit to purſue this Subject, and not content with the Victory They have gain'd in * *Weſtminſter-Hall*, endeavour to foreſtal the Judgment of the *Court* by continual Comments on the Malignity and miſchievous Effects of our Writings; I hope I may be indulged ſo far as to make a few Remarks on them.

I have often obſerved that it is almoſt impoſſible for any Man, in the Proſecution of ſuch an Undertaking, to keep Himſelf ſo ſtrictly upon his Guard as not to let fall ſome Expreſſions, which may be thought to exceed the juſt Bounds of *Liberty*. I never pretended, nor will I ever pretend, to purge Myſelf intirely from ſuch a Charge; and, perhaps, I might defy the greateſt Lawyer in *England* to publiſh a weekly Paper, upon *Matters of State*, without being guilty of ſome Slips of this Kind, in the Hurry of writing, or the Warmth of Oppoſition. But if his Undertaking, in general, appears to be calculated for the Service of his Country, and hath evidently produced ſome good Effects, I think a reaſonable Allowance ought to be made for the common Frailties of human Nature. This is all I deſire in my own Caſe. As I am conſcious of the good Deſign of *theſe Papers*, and may be allow'd to ſay, without Vanity, that they have been of ſome Uſe to the Cauſe of *Liberty*; ſo I hope that a few Errors, or warm Expreſſions, will not be thought ſufficient to take away the Merit of the whole Work, or to prevent the Proſecution of it for the future.—Let it be conſider'd by every thinking and impartial Man, how far *Liberty* itſelf may be affected by *ſome Doctrines*, lately advanced, if they ſhould be encouraged and put in Practice. For my Part, I am ready to ſubmit to my Fate, whatever it may be, and do not apprehend that I ſhall be in a worſe Condition than the reſt of my Fellow-Subjects, even *Thoſe*, who have taken the moſt Pains to diſtinguiſh Themſelves againſt Me by recommending *theſe very Doctrines*.

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* *For printing the* HAGUE LETTER, *Jan.* 2, 1730-1.

But it is very ſurprizing that *theſe Writers* ſhould think it either prudent, or neceſſary, to enter into a formal Juſtification of *ſome late Proceedings*, which We have never been bold enough to cenſure, or arraign. Can They be vain enough to believe that their *venal Pens* will give any Credit to *thoſe Proceedings*, or that *We* are yet precluded, by any Rules of Decency or Duty, from expoſing their mean Sophiſtries and vile Miſrepreſentations? Surely, ſuch a Defence of Myſelf, againſt the moſt ungenerous Calumny and Falſification, cannot be thought inconſiſtent with the ſtricteſt Regard to the Courſe of *Law*, or the Deference, which is due to *Men in Authority*. I ſhall therefore take the Freedom of examining thoſe *extrajudicial Cenſures*, which have been lately paſs'd upon my Writings.

I need not trouble the Reader with any Remarks on that incoherent Jargon of Senſe and Nonſenſe, of Truth and Falſhood, of Reaſoning and Stupidity, which appear'd this Day Fortnight in the *London Journal*. The Abſurdities of that Paper are already ſufficiently expoſed by Mr. *Fog*, who hath an happy Talent at ſetting the Blunders of *ſuch Writers* in a ſtrong and ridiculous Light. The pert Follies of little 'Squire *Walſingham* have lately furniſh'd the Town with ſeveral entertaining Pieces of that Kind, and I think the ſolemn Dulneſs of Mr. *Osborne* worthy of the ſame humorous and diverting Pen.

But We are obliged to the *Daily Courant*, of *Saturday* laſt, for *ſome Thoughts concerning the Liberty of the Preſs*, which deſerve a little Notice.

The Author tells us, *that as the Event of a* late Trial *hath been frequently repreſented, both in Print and Converſation, as a violent Shock to* this Bulwark of our Liberties, *He cannot avoid offering ſome cool Reflections upon it to the Publick; ſome ſerious Conſiderations, drawn from Reaſon and the Nature of Things, unbyaſs'd by Intereſt, Party, or Paſſion.*

For my Part, I know of no Writers, who have taken the Liberty to repreſent *this Affair* in ſuch a Light, in *Print*. I am ſure, at leaſt, He cannot charge it upon Myſelf. Nor can I tell in what Manner it hath been treated in *Converſation*. My own is very confined; and I have not yet had any Opportunity of learning the general Diſcourſe of the Town. —— But let us examine his *cool Reflections* and *ſerious Conſiderations*.

It is obſervable that notwithſtanding all his Profeſſions of *Impartiality* and *Diſintereſtedneſs*, He ſeems apprehenſive that He ſhall draw upon Himſelf the Imputation of a *Mercenary* and an *Hireling*, by appearing in *that Paper*. —— Why ſo? —— Is it becauſe *Mercenaries* and *Hirelings* are known to appear in it? — I am ſure, That is no Compliment to the *Paper*, or the *Writers* in it. But He undertakes to *turn this Objection, whenever it is made, into a Confeſſion of his Diſintereſtedneſs and Impartiality*. — How? —— Why *by diſclaiming, in the moſt ſolemn Manner, what* other hireling Writers *have ſo often and ſo impudently contended for, in the Cauſe of the* PRESS; *an Exemption from the Power of* Law, *and the Rules of* Juſtice —— He ſhould have ſaid *that legal and equitable Exemption*, to which We are intitled by the *preſent happy Eſtabliſhment and Conſtitution of this Kingdom*; for I know no *other Exemption*, that was ever contended for by any Writer of common Senſe. This Argument there-

fore

fore is as much to the Purpoſe, as if a Perſon, in an higher Station, ſhould endeavour to purge Himſelf from the Imputation of voting for a *Penſion*, by ſhewing his Readineſs to *give up the Rights and Liberties of his Country*.

What He ſays concerning the *Abuſes of the Preſs* and the *Incoveniencies*, which ſometimes attend it, hath been ſufficiently conſider'd in *former Papers*. The true Point in Debate is, whether *ſome Methods of interpreting and Forms of proceeding againſt political Writings*, which have been lately recommended, do not tend to an *indirect Reſtraint upon the Preſs*; or whether it is poſſible for any Man to examine *Matters of State*, or at leaſt to *cenſure the Conduct of Miniſters*, with the leaſt Aſſurance of Impunity, if *thoſe Doctrines* ſhould be eſtabliſh'd.

It hath been objected, *ſays He, that* Printing *is a Trade, to which People are regularly and lawfully bred, and it is an unjuſt Practice to puniſh a Man for the Exerciſe of his Trade.*—Such an *Objection* hath, indeed, been made, and I think it an *important Objection*, notwithſtanding his poor Sneer. Nay, it hath been thought ſo by the *Writers on his own Side*, as well as by *Us*; particularly, by his learned Friend, Mr. *Oſborne*, who tells us, in his notable Diſcourſe of the 4th Inſtant, *that* meer Publiſhing *is no more a Crime than* running, *or* walking, eating, *or* drinking; *and therefore* Juries *ought to be Judges of the* Law, *as well as the* Fact——His Anſwer to This is, *that* Pharmacy *is a lawful Art*; *and yet He believes few People will deny that an* Apothecary *ſhould be puniſh'd for adminiſtring* Poiſons, *though the compounding of them may, in ſome Caſes, be Part of his Buſineſs.*—No doubt of it, if it ſhould appear that He did it with an *Intent of poiſoning*; but not if He ſhould ignorantly, or inadvertently, mix up a little too much of one Ingredient, without any *wicked*, or *malicious Deſign*.

We now come to the *main Argument, which contains*, as He is pleaſed to expreſs it, *the whole Force of* theſe Libertines *Reaſoning*; viz. that *ſuch Writings* have been of great Uſe to the Publick in former Times, tho' the *Miniſters* call'd them *ſcandalous* and *ſeditious*; and if *theſe Doctrines of Proſecution* ſhould prevail, to the Terror, or Deſtruction of *Writers*, the *Liberties of our Country* may be loſt, in Times to come, for want of *ſuch Guardians* and *Advocates*.——To which *this impartial Gentleman* replies, *that let the* ſame bad Meaſures *prevail again, which prevail'd in former Times, and He'll engage the* ſame good Spirit *will ariſe, whatever* Reſtraints *ſhall be laid on the* Preſs, *and whatever cruel Puniſhments* ſuch Writings *may draw on the* Authors, *or* Publiſhers *of them*.——He thinks This a ſufficient Anſwer; and, no doubt, it will adminiſter great Conſolation to the *Advocates of Liberty*, that They muſt always ſtand in the Breach, and ſacrifice Themſelves to the Good of their Country. It is juſt ſuch a Kind of Comfort as a *certain Nobleman* gave to a poor Fellow, who was condemn'd to be hang'd, for ſome Offence againſt the *Court*; *Never mind it*, ſaid He, *it is all for the better, and will ſerve to blacken the* PARTY.—But I ſhrewdly ſuſpect that We ſhould not have the Honour of *this candid Gentleman*'s Company upon ſuch an Occaſion.

He hath advanced one Argument in Defence of *Proſecutions*, which is really extraordinary from *ſuch a Writer*.—*I apprehend*, ſays He, *that a worſe Danger might enſue, if* Libellers *were indulged in their Demand of an* abſolute Impunity. Spreta exoleſcunt *is a Maxim, that* Writers *ought to be alarm'd at. If it were thoroughly practiſed, the Number of* Authors *and* Pamphlets *would ſoon do their own Buſineſs*; *for They would find no Readers. A* Proſecution, *now and then, is like throwing a little Water on a great Fire, ſuppreſſes its Rage at preſent, but makes the Fuel laſt the longer*—What an excellent Advocate is This for *Courts* and

Miniſters?

Miniſters? He does not deſire, it ſeems, to ſuppreſs *Libels*, but to encourage and perpetuate them. He is afraid they would die away of themſelves, if *neglected*, and therefore is ſo good as to call in the Aid of the *ſæcular Arm* to keep them alive. This Argument hath been often made Uſe of by the *Friends of Liberty*, to ſhew the Folly of endeavouring to ſuppreſs it by *Power* and *Violence*; but I believe it was never urged before on the *other Side*; eſpecially by a *Writer*, who promiſed us ſuch *cool Reflections* and *ſerious Conſiderations*.

Upon the whole, ſays He, *I am for leaving the Matter to the* Senſe of the Nation. *I think* Writers, *as well as* other Subjects, *ought to be try'd by their* Country; *and I ſhall always look for the* Senſe of the People *in the impartial Verdict of an* honeſt Jury; *which* Impartiality *I ſhall always be ſure to find, while the Law, relating to* Juries, *ſtands as it is amended by the* late Act.

I am glad to find that the *Senſe of the People* is at laſt thought to be of ſome Weight; and I am as willing as *this Writer* to look for it in the *impartial Verdict of an honeſt Jury*. But what hath the *late Act*, for regulating *Juries*, to do in this Place? If He mentions it as any Advantage to *Us*, in the Trial of Mr. *Francklin*, which gave Occaſion to theſe Thoughts, as He tells us Himſelf, it is a moſt egregious Fallacy and Prevarication; for Mr. *Francklin* was try'd by a SPECIAL JURY, which is not named by the *Sheriff*, nor drawn by *Lot*, or *Ballot*, but ſtruck by the *Maſter of the Crown Office*, and by virtue of a *Rule of Court*, upon the Motion of the *Attorney-General*.

I mention This only as a Matter of *Fact*, and with no other Deſign than to undeceive thoſe People, who may be led to ſuppoſe, by this Way of Writing, that Mr. *Francklin* had the Benefit of the *Lot*, or *Ballot*; which hath been always eſteem'd the great Security and Advantage, obtain'd by the JURY ACT.

D.

SATURDAY,

Nº 287. SATURDAY, *Jan.* 1, 1731-2.

HAVING mention'd the JURY ACT in my laſt Paper, and obſerved that the BALLOT was the great Advantage ſuppoſed to be obtain'd by *that Law*, I ſhall confirm what I there ſaid in the Words of that courtly Writer, the *Free-Briton*, who commented upon it in the following remarkable Strain, ſoon after it was paſt.

" OF all the Prerogatives, worthy of an *Engliſhman*'s Care, and eſſential to our national Se-" curity, *that Method of Trial*, ſo ſacred to the *Britiſh* " Conſtitution, is the firſt and greateſt Bleſſing. Trials " *per Pais*, or by the *Country*, are one of our immemo-" rial Immunities. There are none more blended " with the very Being of our Conſtitution; for from " the earlieſt Accounts of Time, the moſt antient " Annals of our Iſland, This hath been our conſtant, " invariable Method in the judicial Deciſions of the " Kingdom. No Man could loſe his *Fame*, his *Life*, " or *Liberty*, no Man could ſuffer any Puniſhment, " *corporal* or *pecuniary*, but by the Judgment of his " *Country*, the Verdict of his *Peers*, or his *Equals*; " Men return'd from the *Vicinage*, the *Neighbour-*" *hood*, where the Fact conteſted ſhould be laid; " and therefore Men, who, being in his own Con-" dition of Life, as well as reſident on the Spot, muſt " certainly judge, as They would be judged Them-" ſelves, muſt allow Him all the Candour and Equity " his Caſe could poſſibly admit.

" Such hath been the high Senſe We have con-
" tinually entertain'd of this moſt antient Inſtitution;
" ſuch hath been our zealous Affection for *this una-*
" *lienable Eſtabliſhment,* that, through a Courſe of
" many Ages, it hath ever been preſerved, and never
" once aboliſh'd. However *other Liberties* have ſunk,
" or been ſuſpended, *This* hath been reſcued from the
" moſt rapacious Tyranny, nor ever at any Time in-
" vaded, but the WHOLE CONSTITUTION was ſtruck
" at in *this ſingle Inſtance of Freedom.*

" So great and wonderful hath been the Advantage
" We perpetually reap'd from *theſe Trials,* that whilſt
" they were ſuffer'd to be *free,* no Man amongſt us
" was unſafe, let Him be ever ſo obnoxious to *Courts,*
" let Him be ever ſo brave for the Intereſt of his *Coun-*
" *try.* The moſt arbitrary Governors, that have ad-
" miniſter'd Power in this Kingdom, have found them
" the greateſt Obſtruction to their wicked Deſigns,
" and a conſtant Deliverance to Innocence under Op-
" preſſion. Hence various Attempts upon JURIES, to
" *pack,* to *bribe,* to *awe* them, or to make them
" *uſeleſs.* SHERIFFS have been employ'd to return
" *fit Tools* and *Inſtruments.* JUDGES have been in-
" ſtructed to browbeat and intimidate the *honeſt* and
" *uncorrupt;* whilſt, at other Times, by *Magick* and
" *Legerdemain,* They have juggled Them out of their
" *Verdicts.*

" There never was a better Sign of an *happy Peo-*
" *ple,* never a more certain Proof of an *upright Ad-*
" *miniſtration* than the late Attempt to preſerve our
" JURIES from every ill Influence. I mean *the im-*
" *mortal Law for their better Regulation;* an Act, that
" might have added Glory to the beſt Legiſlators of
" Antiquity, and cannot yeild to the wiſeſt of their
" Inſtitutions for its Equity and excellent Worth. It
" hath fully provided, that none but Men of fit
" Qualifications ſhall be return'd on the Pannels. It
" hath directed, that theſe Returns ſhall be made
" publick

'publick at proper Places before the Time of Trial, 'to the End that any one may make Exceptions to 'them. It hath provided alſo, that all the Free-'holders and qualified Perſons ſhall ſerve on *Juries* "in their natural Turns; and farther, that when They "are return'd on the Pannel, *Thoſe,* who are ſworn to "try the Cauſe, ſhall be ſuch as are drawn by *Lot* "from the Body of the County, inſomuch that as none "can know who the *Jurors* will be, none can pretend "to practice on a *Jury.*

"*This Law* is a more national Act than even the "*Habeas Corpus Act.* The *latter,* tho' a moſt ineſti-"mable Advantage to the Kingdon, can only obtain "an *Enlargement upon Bail* for Perſons ſuſpected of "particular Crimes. But This is the great Security of "our *Properties,* our *Liberties,* our *Reputation* and our "*Lives.* This preſerves the *Judges,* who determine "us all, free from Corruption and bad Management. "So long as *this Law* continues, JURIES can never "be pack'd by an *Under-Sheriff,* to ſerve the Deſigns "of *Courts,* or in View to thoſe immenſe Forfeitures, "which ſometimes accrue on Convictions by Grants "to Corporations. This evinces that We live under "*ſuch a Prince* and *ſuch an Adminiſtration,* as have no "View to oppreſs, or to injure us, nor the leaſt In-"tention to *practice on* JURIES, ſince They have here-"by put it out of their Power. To their Honour "be it ſpoken, *this Act* was moſt properly a COURT-"LAW, promoted by their warmeſt Friends, and "drawn by a *Gentleman,* remarkably known for his "zealous Attachment to the preſent Government, "nor leſs diſtinguiſh'd, in *this illuſtrious Act,* by this "great Benevolence to his Country. Such a Conceſ-"ſion to the People as This is the moſt ſhining Cha-"racteriſtick of a *virtuous Government;* and I could "name *ſome Princes,* who would ſooner have diſ-"ſolved the Parliament, than have given *ſuch a Bill* "the Royal Aſſent.

I concurr'd with Mr. *Walſingham* in his general Panegyrick on *this Act*, when it firſt appear'd in his Paper, though I could not intirely agree with Him in ſtyling it a † *Court Law*; but, perhaps, He might call it by that Name, with a View to the Clauſe, concerning SPECIAL JURIES, which I muſt own I was not aware of at that Time; I mean, I did not apprehend that it was deſign'd to extend to *criminal Proſecutions*, where the *Crown* is immediately concern'd; That is, not in *Form* only, as in many Caſes, but in *Reality*.

It is not my Buſineſs to enquire by whom, or for what Reaſon, *this Clauſe* was inſerted in ſo general a Manner. I am willing to hope that it was done without any bad Deſign, or View to any *particular Kind of Proſecution*; for I ſhould be ſorry to believe that any Gentleman would ſuffer Himſelf to be tranſported with ſuch an officious Exceſs of Zeal for *Courts*, or *Miniſters*, in whatever Station He may be, as to forget the Duty, which He owes to his *Country*; but as We have ſeen many Inſtances of This, in former Times, it ought to put every *honeſt Gentleman* on his Guard, how He gives his Conſent to any *Bill*, in which the *Law* and *Conſtitution* are concern'd, without the ſtricteſt Examination.

But without making any nice Enquiries into this Matter, let us conſider Mr. *Walſingham*'s panegyrical Reaſoning a little farther.—— Now, all his pompous Encomiums on *this Act* are evidently founded on the following Proviſions of it; *that none but Men of* fit Qualifications *ſhall be return'd on the Pannel*; *that theſe Returns ſhall be made* publick *at proper Places before the*

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† *See the* Craftſman, *vol.* 6. *p.* 217. *where the Reader will likewiſe find the* ſame Author's *Reflections on Trials at the* King's Bench, *by Way of* INFORMATION.

the Time of Tryal, to the End that any one may make Exceptions to them; that all the Freeholders and qualified Perſons ſhall ſerve on Juries *in their natural Turns; and farther, that Thoſe, who are ſworn to try the Cauſe, ſhall be ſuch as are drawn by* LOT *from the Body of the County; inſomuch, that as none can know who the* Jurors *will be, none can pretend to practiſe on a Jury.—This,* ſays He, *preſerves the* Judges, *who determine us all, from Corruption and bad Management. So long as* this Law *continues,* Juries *can never be pack'd by an* under Sheriff, *to ſerve the Deſigns of* Courts. *This evinces that We live under* ſuch a Prince *and* ſuch an Adminiſtration, *as have no View to oppreſs, or to injure us, nor the leaſt Intention to* practiſe upon Juries, *ſince They have hereby put it out of their Power.*

But all this fine Panegyrick on the *Miniſtry,* as well as the *Act,* will vaniſh into Smoke, if the Method of trying *criminal Cauſes,* by *ſpecial Juries,* ſhould be continued and grow into common Practice; for *all theſe Proviſions,* or at leaſt the *principal* of them, will have no Effect, in that Caſe. *The Returns of* theſe Juries *are not made* publick *at proper Places, before the Time of Tryal.* They are not obliged to ſerve in their *natural Turns,* or by Way of *Rotation;* nor are They *drawn by* LOT *from the Body of the County;* ſo that They are no more Exempt from *Corruption,* or *Influence,* than if *this Bill* had never paſs'd. The COURT *hath not put it out of their Power, in* this Caſe, *to practice upon* JURIES.

If therefore the *Ballot,* propoſed by *this Act,* is of ſuch vaſt Importance to the People of *England,* as Mr. *Walſingham* affirms; if the *Law* itſelf deſerves to be eſteem'd, upon that Account, *a more national Act than even the* Habeas Corpus Act; if it is the *great Security of our Properties, our Liberties, our Reputation and our Lives;* We ought to wiſh that the Clauſe, concerning *ſpecial Juries,* had never been extended to *Crown Proſecutions*, in *criminal Matters*; for in *civil Caſes*, where great Points of *Property* are concern'd, it ſeems reaſonable that the *Jury* ſhould conſiſt of the moſt conſiderable Gentlemen in the County, for Fortune, Integrity and Underſtanding.

Nobody can charge Me with any Deſign of aſperſing the *Judges* in this Paper, as I have been unjuſtly accuſed in ſome others; for it is not in their Power to refuſe a *ſpecial Jury*; They being required, by *this Clauſe*, to order one to be ſtruck by the proper Officer, upon a Motion made for that Purpoſe by the *Plaintiff*, or *Defendant*; ſo that *either Party* hath it in his Power to defeat the general Tenour of the *Act*, if He thinks fit, without Remedy; and thus it may poſſibly happen that a Cauſe ſhall not be try'd by a *Jury*, drawn by *Lot*, for a Year together.

Neither would I be thought to intend the leaſt Reflection on the *Gentlemen*, who ſerved upon Mr. *Francklin*'s Trial. My only Deſign is to explain the Nature of *this Clauſe*, and to make ſome general Obſervations upon it, in View to the *Free Briton* now before Me.

I ſhould therefore be glad to know whether the Deſign and Conſequences of *this Clauſe*, in *criminal Caſes*, eſcaped Mr. *Walſingham*'s Penetration, as well as mine; or whether He does not think that the frequent Uſe of it, in *theſe Caſes*, may tend to weaken, in ſome Meaſure, the general Intention of the *Act*.—If I ſhould be ſo happy as to have his Concurrence of Sentiments upon *this Point*, (which I apprehend He cannot refuſe, without great Inconſiſtency) I ſhall live in Hopes of ſeeing the *Act* explain'd by the Legiſlature, according to our Wiſhes; for *ſince the preſent Government*, to uſe his own Words, *are ſo worthily diſpoſed to part with any* Powers oppreſſive to the Subject, *of which They have given us a never-to-be forgotten Inſtance in the Law, for* Regulation of JURIES; *ſince the* Courts of Juſtice *are already under Parliamentary Enquiry*

Enquiry; *ſince there ſeems to revive a* Spirit *amongſt us, that ought not to* cool, *or* abate; *I heartily wiſh that the Nation will examine this Affair, and perhaps a very little Time may do us a great deal of Service.*

Since We are upon this Head, I will beg Leave to offer a Point or two more to Mr. *Walſingham*'s Conſideration.

I make no Doubt that He will abide very ſteadily by his former Remarks, in the ſame Paper, on the Method of Tryals by INFORMATION, and chearfully bear his Part in the Controverſy againſt *thoſe Writers*, who prefer it to the antient and equitable Method of INDICTMENT. I ſhould eſteem it a farther Obligation, if He would be pleaſed to favour us with his Opinion, as a *Lawyer*, concerning the Power of *Secretaries of State*, as *Secretaries*, to grant Warrants for apprehending Perſons, ſeizing Papers, and breaking open Locks; or to commit to the Cuſtody of *Meſſengers*, and require Security for *good Behaviour*. I will take the Liberty to treſpaſs upon the *ſame Gentleman* for his Opinion upon *one Point* more; and That is, whether *Precedents*, taken from the *Star-Chamber*, or from any other Court in *arbitrary Reigns*, ought to be eſteem'd authoritative at preſent, when our Liberties are aſcertain'd by the Abolition of the *Star-Chamber*, the Expiration of the *Licenſing Act*, the *Bill of Rights*, and other Parliamentary Cenſures on *thoſe Proceedings*.

Theſe are Points of immediate Conſequence to us all, both as *Engliſhmen* and *Writers*. Theſe are the Bleſſings, which We acquired by the *Revolution*; and I will venture to give Mr. *Walſingham* my Opinion, that the religious Preſervation of them will be a more glorious Monument to the Memory of King *William*, and endear his Name infinitely more to all Poſterity, than a thouſand *Statues*, *Mauſolæums*, *Pyramids*, or *triumphal Arches*.

But whatever He may think upon *theſe Subjects*, or whatever Part He may chuſe to act in the Diſpute, I am reſolved to explain them fully to the World, upon proper Occaſions. *D.*

N° 288. SATURDAY, *Jan.* 8, 1731-2.

THERE is no Point, of a *political Nature*, in which the Opinions of all diſintereſted, honeſt and ſenſible Men are ſo generally united, as the Subject of *publick Credit*, and thoſe *great, excluſive Companies*, which have lately ſprung up in this Kingdom. I do not remember that I have ever met with one plauſible Diſcourſe on the general Utility and Advantages of them to the Nation, conſider'd either as a *trading*, or a *free People*. On the contrary, all the Force of Reaſon and Argument, as far as I can recollect, or am able to judge, hath appear'd on the *other Side*. I think it hath been proved, even to Demonſtration, that *overgrown Monopolies*, of all Kinds, are prejudicial to the Intereſt of *Trade*, and may become dangerous to our *Liberties*, even ſuppoſing them to be managed with the ſtricteſt Integrity. How far That hath been our Caſe already, or is likely to be our Caſe for the future, muſt be left to the Judgment of Mankind, by reflecting on the Nature of *theſe Corporations*, and the Experience of many Years paſt, not to inſiſt on this particular Juncture of Time.

The great Bleſſing of our Conſtitution, in which We have always gloried, and thought ourſelves happy above other Nations, conſiſts in being govern'd by *known Laws*, and having our *Property* ſecured againſt the

Invaſions of *Princes*, or the Colluſions of *Miniſters*. This is the very Point, upon which Mr. *Addiſon* hath ſhewn the Excellence of our Government, in one of his *Freeholders*, by comparing it with the Government of *France*; where *Property* is always precarious and ſubject to the Will of the Prince; ſo that a Man, in that Kingdom, may go to Bed with the Satisfaction of an eaſy Fortune, and find Himſelf ſtript of great Part of it, the next Morning, by Virtue of a *royal Edict*. As melancholy as this Circumſtance may ſeem, and as much as We may congratulate ourſelves on the Difference of our Condition, I am afraid the *Proprietors of our Funds* will appear, upon Examination, to be often too much in the ſame Caſe; for the dark Tricks of *Brokers* and *Stockjobbers*, or their *Patrons*, may have the ſame miſchievous Effects on their Fortunes, as a *French Arret*; and a Man, who fancies Himſelf poſſeſs'd of a *thouſand Pounds* to Day, may find it reduced, in a Day or two afterwards, to *half the Value*, without any viſible Reaſon for it. Whatever therefore tends, in any Degree, to weaken this Security, this diſtinguiſhing Characteriſtick of the *Engliſh* Government, by rendering our *Properties* uncertain and dependent on the Will of any *Men in Power*, ought to fill us with dreadful Apprehenſions, and keep us ſtrictly on our Guard. The Mal-Execution of the *South-Sea* Scheme, in the Year 1720, gave us ſufficient Warning of the Miſchiefs, which *ſuch Companies* are capable of producing; and I am afraid that Multitudes of People will ſoon find Themſelves in the ſame unhappy Condition, or perhaps in a worſe, by the Miſmanagement of ſome *other Companies*, and the Corruption of *Thoſe*, who have been intruſted with their *Properties*.

I am ſenſible that the Spirit of *Stockjobbing*, like the Itch of *all other Gaming*, is very hard to be cured; though the Perſons poſſeſs'd of it are ever ſo fully convinced that They have to deal with *Sharpers*, who *look over their Cards*, or play with *falſe Dice*. It happens to *this Vice*, as it does to many others. All People, in their Turns, exclaim againſt it, and yet moſt People are tempted to run into it; and as it firſt grew out of the Misfortunes of our Country, I heartily wiſh that it may not be made Uſe of to perpetuate and increaſe them.—I know very well whoſe Intereſt it is to encourage *theſe Frauds*, what Artifices have been employ'd to promote them, and to intimidate the *honeſt Proprietors* from inquiring into them; but I hope They will not ſuffer Themſelves to be deluded any longer; that They will ſeriouſly reflect on the neceſſary Conſequences of *ſuch Practices*, before it is too late, and unite their Endeavours to avert the Calamities, which ſeem once more to threaten Themſelves and the whole Nation.

Nobody hath treated *this Subject* with more Freedom, Vigour, and Succeſs than the Authors of *Cato*'s *Letters*. There is hardly a Paper in the whole Collection, which does not, at leaſt, remotely glance at *this Evil*; and there are many, which are written profeſſedly upon it. I ſhall therefore preſent my Readers, this Week, with ſome Extracts from one of them, which perhaps may be thought to have more Weight, and produce a better Effect upon *ſome Perſons*, than any Thing I can ſay, or perhaps may be allow'd to ſay, on the *ſame Subject*.

The *Gentleman*, who wrote this Paper, having explain'd the true Nature of *publick Credit*, which conſiſts in the Affluence of *Trade*, the general *Wealth* of the Nation, and the *Confidence* of the People in the Juſtice and Integrity of their Governors, proceeds in the following Manner.

" I have above endeavour'd to ſhew what, and what
" alone, ought to be call'd *Credit*. But there hath
" lately riſen up, in our Age, a *new-fangled* and *fan-*
" *taſtical Credulity*, which hath uſurp'd the ſame
" Name, and came in with the Word *Bite*, which
" hath been made free of a neighbouring Court;

" whereby the poor, innocent, induſtrious, and un-
" wary People have been deliver'd into the ravenous
" and polluted Jaws of Vultures and Tigers; and
" *Thouſands*, I had almoſt ſaid *Millions*, have been
" ſacrificed, to ſatiate the *Gluttony of a Few*. This
" hath inverted the *OEconomy* and *Policy* of Nations;
" made a *great Kingdom* turn all *Gameſters*; and Men
" have acquired the Reputation of *Wiſdom*, from their
" Skill in *picking Pockets*. It hath enter'd into the
" Cabinets of *Courts*; hath guided the Counſels of
" *Senates*, and their whole Wiſdom, and moſt of
" their Time hath been employ'd in keeping up this
" *vile* and *airy Traffick*, as if the Buſineſs of *Govern-*
" *ment* was not to protect People in their *Property*,
" but to *cheat* Them out of it.

" This is eminently true in a *neighbouring Country*;
" and I wiſh I could ſay, that nothing like it had ever
" happen'd amongſt *Us*. But as no Men, *now in Power*,
" are anſwerable for this great Miſchief, ſo I hope and
" believe We ſhall have *their hearty Aſſiſtance* to extri-
" cate us out of all theſe Evils; and as I pleaſe myſelf
" with believing that I ſpeak the Senſe of my *Superiors*,
" ſo I ſhall take the Liberty to ſay, that neither *publick*
" nor *private Credit* can conſiſt in ſelling any Thing
" for more than it is worth, or for any Thing but
" what it is. It is certainly the Intereſt of a Country,
" that its *Commodities* ſhould ſell at a good Price, and
" find a ready vent; that *private Men* ſhould be able
" ſafely to truſt one another; that *Lands* ſhould find
" ready Purchaſers, good Securities, Money at low
" Intereſt; and that *Mortgages* ſhould be eaſily tranſ-
" ferrable. And the Way to bring theſe good Pur-
" poſes to paſs, is to aſcertain *Titles*; give ready Re-
" medies to the *Injured*; to procure *general Plenty* by
" prudent Laws, and by giving all Encouragement to
" *Induſtry* and *Honeſty*. But it will never be effected
" by authorizing, or countenancing *Frauds*; by ena-
" bling *artful Men* to circumvent the *unwary*, ſtamp-

" ing the publick Seal upon *counterfeit Wares*; and by " conſtantly coining a *new Sort of Property*, of a pre- " carious, uncertain and tranſitory Value; and by " *conſtant Juggles* and *Combinations* conſpiring to " make it more ſo; which Conduct, whenever " practiſed, muſt ſoon put an End to all *publick* " and *private Credit*.

" In what Country ſoever *theſe Practices* meet with " Encouragement, all *fair* and *honeſt Dealing* will be " turn'd into *Juggling*. There will quickly grow a " ſort of *Cabaliſtical Learning*; and there will be a " *ſecret* and a *vulgar Knowledge*; *one* to be truſted " only to the *verè Adepti* and *Managers*; and the " *other* to be divulged to the *People*, who will be told " nothing but what is for the Intereſt of their *Betters* " to communicate; and pretty Advantages may be " made by being in the *Secret*. As for Example; juſt " before any *publick Misfortune* is to make its Appea- " rance, *Thoſe*, who know of it, may *ſell out*; and, " in the Height of the Danger, *buy again*; and, " when it is over, by taking another Opportunity, " They may *ſell a ſecond Time*; and, when theſe " Evils are averted, They may *go to Market once* " *more*; and ſo, *toties quoties*, till the greateſt Part " of the *Property of a Kingdom* is got into the Hands " of but a FEW PERSONS, who will then undoubted- " ly govern all the reſt. Nor can *theſe Miſchiefs* be " poſſibly prevented, but by wholly deſtroying *this* " *Sort of Traffick*, or by appointing *skilful Pilots* to ſet " up occaſional Buoys and Sea-Marks, according to " the ſhifting of the Winds and the Tides; That is, " by aſcertaining and publiſhing the *real Value of all* " *publick Securities*, as often as there is an *Alteration* " made in them by *new Proviſions*, or by wholly " preventing the *Abuſes*, occaſion'd by the vile Trade " of *Stockjobbing*; which I conceive is not difficult to " do, when *Stockjobbers* have no Hand in directing the " *Remedy*.

" 'Till ſomething of this Kind is done, it is fooliſh " to think, and worſe to pretend to think, that any " effectual Methods can be taken to diſcharge and pay " off the *national Engagements*; for in whatever Country " it happens, that the *publick Funds* become the Mar-" kets and ſtanding Revenues of *Thoſe*, who can beſt " cure the Evil; where *great* and *ſudden Eſtates* may " be more eaſily raiſed by *Knavery* and *Juggling*, than " *ſmall ones* by *Virtue* and *Merit*; where *Plumbs* may " be got at once, and *vaſt Societies* may be made the " Accomplices of *Power*, in order to be indulged with " *ſeparate Advantages*; it is not to be hoped that effec-" tual Methods will be taken to dam and choak up " *ſuch inexhauſtible Sources of Wealth and Dominion.* " On the contrary, it is to be fear'd that *new Projects* " will be yearly invented; *new Schemes* colour'd with " popular Pretences, to toſs and tumble the *publick* " *Securities*, and to change them into as many Shapes " as *Proteus* knew. *One Year* ſhall metamorphoſe the " Schemes of *another*; and the *next* ſhall undo both. " The Leaders of *one Faction* ſhall unravel the Projects " of their *Predeceſſors*; ſhall charge their Deſigns with " *Corruption* and *Rapine*, and be *more rapacious Them-* " *ſelves*; and all, in their Turns, ſhall raiſe vaſt Eſtates " upon the publick Ruins; and the *laſt Spirits* ſhall be " always the *worſt*. *Artful* and *conſpiring Men* ſhall " buy up * DESPERATE DEBTS, and then uſe In-" trigues and Corruption to *load their Country with* " *them*; and the Buſineſs of Nations ſhall ſtand ſtill,

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* *I hope, I ſhall do the* Author *no Injuſtice by ſuppo-ſing that He alluded, in this Place, to the* ARMY DEBENTURES, *which were ſwell'd up in a few Years from the Sum of* four hundred thouſand Pounds *(the higheſt Calculation at firſt) to above* two Millions.——*See a Pamphlet intitled,* Conſiderations on the national Debt, the Sinking Fund, &c. *Printed for* R. FRANCKLIN, *in the Year* 1729.

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" or rather it ſhall become their Buſineſs to fiſh in " theſe troubled Streams, till by long Experience of the " Loſs of their Fellows the Fiſh will bite no longer; " and then it is eaſy to gueſs what is next to be done. " There is but *one Method*, which can be taken; and " *That* will be taken.

" I would gladly know what Advantage ever hath, " or ever can, accrue to the Publick by raiſing Stocks " to an *imaginary Value*, beyond what they are really " *worth* to an honeſt Man, who purchaſes them for a " regular Support to Himſelf and Family, and deſigns " not to ſell them again, till He hath Occaſion for the " Money they will produce. It can moſt aſſuredly " ſerve no *honeſt Purpoſe*, and will promote a thouſand " *knaviſh ones*. Beſides Thoſe beforemention'd, it " turns moſt of the current Coin of *England* out of " the Channels of *Trade*, and the Heads of all its *Merchants* and *Traders* off their proper Buſineſs. It " enriches the *worſt Men*, and ruins the *Innocent*. It " taints Men's *Morals*, and defaces all the Principles " of *Virtue* and *fair Dealing*, and introduces *Combination* and *Fraud* in all Sorts of Traffick. It hath " changed *honeſt Commerce* into *Bubbling*; our *Traders* " into *Projectors*; *Induſtry* into *Tricking*; and *Applauſe* " is earn'd, when the *Pillory* is deſerved. It hath " created all the *Diſſatisfaction* ſo much complain'd of, " and all the *Miſchiefs* attending it, which daily " threaten us, and which give Reaſons for *ſtanding*, or " *occaſional Troops*. It hath cauſed all the Confuſion " in our *publick Finances*. It hath ſet up *monſtrous* " *Members* and *Societies* in the Body politick, which " are grown, I had almoſt ſaid, *too big for the whole* " *Kingdom*. It hath multiply'd *Offices* and *Dependencies in the Power of the* COURT, which in Time " may fill the LEGISLATURE, and alter the BALLANCE *of Government*. It hath overwhelm'd the " Nation with *Debts* and *Burthens*, under which it is " almoſt ready to ſink; and it hath hinder'd *thoſe*

" *Debts* from being paid off; for if *Stocks* ſell for more, " or much more upon the *Exchange* than the *Prices,* " at which they are *redeemable,* or more can be got by " *jobbing* them than by *diſcharging* them, then all " Arts will be uſed to prevent a *Redemption.*

" I doubt not but I ſhall incur the Cenſure of many, " by thus laying open our *Nakedneſs,* and probing our " *Wounds*; and I cannot deny but I found ſome Re" luctance in doing it; but it muſt be done before " they can be *cured.* The *Patient* cannot now bear " *Quacking*; and if *effectual Remedies* are not ſpeedily " taken, the Caſe is deſperate. The Security and In" tereſt of the *Crown,* the Power and Reputation of " the *Kingdom,* the Credit and Honour of the *Miniſtry,* " depend upon doing this *great Work*; and I really " believe the *latter* have Inclinations and Reſolutions " to do it. It can never be done effectually without " *their Aſſiſtance*; and if They give it, and ſet Them" ſelves at the Head of ſo *publick a Good,* They will " juſtly obtain a Reputation far beyond any, who have " ever appear'd before Them, and will enjoy unen" vy'd all the *Wealth* and *Advantages,* which attend " *Greatneſs* and *Power.* 'Tis Folly in any one, who " is the leaſt acquainted with the Affairs of Nations, " to pretend not to ſee that if We do not ſoon put " our *publick Debts* in a Method of being paid, they " can never be paid; and all will do their utmoſt to " prevent ſo fatal a Miſchief to their Country, who do " not intend it. But if there are any ſuch, which I " hope and believe there are not, They will then un" doubtedly take early Care to *ſave Themſelves out of* " *the general Wreck,* which very few will be able to " do, though all will intend it. Thoſe in the *Secret* " will have the Advantage; for when *Selling* becomes " the Word, no one can ſell, unleſs He ſells for little " or nothing. All are waiting for a *Riſe*; and if " That happens, all or moſt will endeavour to *ſell,* " and then all *ſelling* is at an End. The *Managers*

" and *Brokers* will engroſs the *Books*, as They did " lately, and command the *firſt Sale*; and by the " Time They are *got out*, no one elſe will be able to " *get out*.

" There is nothing therefore left to be done, but for " all honeſt Men to join Heads, Hearts and Hands, " to find all Means to diſcharge the *publick Burthens*, " and to add no more to them; to ſearch every Mea- " ſure, whereby We can leſſen the *national Expences*; " to avoid all Occaſions of engaging in *new ones*; and " to do all in our Power to increaſe *Trade* and the " *publick Wealth*, without ſacrificing it to any *Jobs*, " or *private Views*; which Conduct alone will enable " us honeſtly to pay off what We *owe*, and to become " once more a *free, rich, happy* and *flouriſhing People*.

This was CATO's Method of reaſoning upon *publick Credit, Companies* and *Stockjobbing*, eight or nine Years ago; and I am ſorry there ſhould be any Occaſion to revive it at preſent; but I muſt take the Liberty to expreſs my Opinion, that the *great Work*, which He recommends in this pathetick Manner, is ſo far from being accompliſh'd, that the baneful Evil of *Stockjobbing* ſeems to gain Strength every Day, and to be grown almoſt epidemical. The miſchievous Effects of *great Companies* (thoſe *monſtrous Members of the Body Politick*) are as generally complain'd of at preſent, as they were formerly; and the daily Diſcoveries, which are ſaid to be made of *Frauds, Corruption* and *Iniquity* in the Management of them, confirm his Apprehenſions, as well as enforce his Arguments for the Neceſſity of applying ſome *ſpeedy* and *effectual Remedies*. The deplorable Scarcity of *Money* and Stagnation of *Trade*, in all the diſtant Parts of *England*, which every *Landed Gentleman* muſt begin to feel, are melancholy Proofs that too much of the current Coin of the Kingdom is got into the Hands of a *few Perſons*; and I wiſh I could ſay that the *Offices* and *Dependencies*, which our *Funds* have created and put into the Power of the *Court*, were ſo much diminiſh'd, ſince *Cato* wrote, as to remove the Cauſe of his Fears for the Freedom of the *Legiſlature*, and the *Ballance of our Government*.

I am as willing to hope and believe, as *this Gentleman* could be, that as *no Men, now in Power, are anſwerable for theſe Evils, ſo We ſhall have their hearty Aſſiſtance to extricate us out of them.* I am willing to believe that They not only had *Inclinations and Reſolutions to do it*, but that they have already exerted their *Endeavours*, and will continue to exert them, till They have effectually compleated ſo *publick a Good*; in which Caſe, They ſhall have my ſincere Wiſhes, that They may *enjoy unenvy'd all the* Wealth *and* Advantages, *which attend* GREATNESS *and* POWER. —— But if there ſhould be any Man amongſt us, *as I hope and believe there is not*, who hath made it his conſtant Endeavour, for many Years paſt, to ſubſtitute a *fantaſtical Credulity* in the Room of *publick Credit*, and to eſtabliſh the vile Traffick of *Stockjobbing* on the Ruins of *Trade, Induſtry* and *Virtue*; if He hath done all in his Power to convert a *great Kingdom* into a Society of *Gameſters*, and acquired a *Reputation for Wiſdom by his Skill in picking Pockets*; if He hath ever attempted to introduce ſuch ſcandalous Arts into the *Cabinets of Courts*, or made Uſe of them to influence the *Counſels of Senates*; if He hath not been contented with amaſſing a *great and ſudden Eſtate for Himſelf*, by playing Tricks with the *publick Debts*, and changing the *national Securities* into a thouſand, different Shapes, but hath likewiſe eminently diſtinguiſh'd Himſelf, as the Patron of *Stockjobbers, Projectors* and *Bubble-mongers*, to whom They might always fly for Protection againſt the Complaints and Cries of the *Injured*; and if, by theſe Means, He hath raiſed up a *powerful Party* and *Combination* on his Side, who will ever find it their Intereſt to obſtruct all Enquiries into *theſe Practices*, and to prevent the *Redemption of our Debts*; I ſay, if there ſhould ever appear to be *ſuch a Man*, as I hope there will not, He ought to be pointed out to the Nation in the ſtrongeſt Colours, that the People may know and be convinced, to whom their *Calamities* have been owing, and to whom their *Vengeance* is due.——— For, to conclude in the Words of the *Writer beforemention'd*, in another Place,

" What can be more invidious than for a Nation, " ſtaggering under the Weight and Oppreſſion of its " *Debts*, eaten up with *Uſury*, and exhauſted with " *Payments*, to have the additional Mortification to " ſee *private* and *worthleſs Men* riot in their *Calamities*, and grow *rich*, whilſt They grow *poor*; to ſee " the Town every Day glittering with *new* and *pompous Equipages*, whilſt They are *mortgaging* and " *ſelling their Eſtates*, without having *ſpent* them; " to ſee *blazing Meteors* ſuddenly exhaled out of " their Jakes, and their Mud, as in *Ægypt*, warm'd " into MONSTERS? *D.*

Nº 289. SATURDAY, *Jan.* 15, 1731-2.

I Have juſt read a little Tract, intitled the ENGLISHMAN'S RIGHT, *or a Dialogue between a* BARRISTER AT LAW *and a* JURYMAN, *concerning the Antiquity, Uſe, Power, and Duty of* JURORS, *by the Law of England.* This Piece was written by my worthy old Friend, Sir *John Hawles*, and publiſh'd at the latter End of King *Charles* the *ſecond's* Reign, when *criminal Proſecutions* abounded, and many Arts were practiſed to obtain *unjuſt Verdicts*, by corrupting and browbeating *Juries.* It is now re-printed, as the Editor acquaints us, to expoſe the wicked Attempts of ſome *late Writers*, who have not been aſhamed to revive the Doctrines and Maxims of *thoſe Times*. I cannot therefore oblige my Readers with a more inſtructive Entertainment, at this Time, than by giving Them ſome Extracts from that *excellent little Treatiſe*.

The *Barriſter* having acquainted his *Client*, the *Juryman*, with the *Antiquity* and *excellent Deſign of Juries*, proceeds to inſtruct Him, according to his Requeſt, in the Nature of their *Office* and *Power* by *Law*.

" *Barr.* I Shall gladly comply with ſo reaſonable " and juſt a Requeſt. * *A Jury of twelve* " *Men are by our Laws the only proper Judges of the* " *Matter in Iſſue before Them.* As for Inſtance,

" 1. That Teſtimony, which is deliver'd to in" duce a Jury to believe, or not to believe, the Mat" ter of Fact in Iſſue, is call'd in Law EVIDENCE; " becauſe thereby the *Jury* may, out of many Matters " of Fact, *evidere veritatem*; That is, *ſee clearly the* " *Truth*, of which They are proper Judges.

" 2. When any Matter is ſworn, Deed read, or " offer'd whether it ſhould be believed or not, or whe" ther it be *true* or *falſe* in point of Fact, the *Jurors* " are proper Judges.

" 3. Whether ſuch an Act was done in ſuch or ſuch " a *Manner*, or to ſuch or ſuch an *Intent*, the *Jurors* " are Judges; for the *Court* is not Judge of theſe " Matters, which are Evidence to prove or diſprove " the Thing in Iſſue; and therefore the Witneſſes " are always order'd to *direct their Speech to the Jury*, " They being the proper Judges of their Teſtimony. " And in all Pleas of the *Crown (or Matters crimi*" *nal)* the Priſoner is ſaid *to put himſelf for Trial* " *upon his Country*, which is explain'd and referr'd

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* See *Coke*, 4th Part of Inſtit. *fol.* 84.

" by the Clerk of the Court, to be meant of the " *Jury*, ſaying to Them, *which Country you are.*

" *Jurym.* Well, then, what is the Part of the King's " *Juſtices*, or the *Court?* What are They to take " Cognizance of, or do, in the Trials of Mens Lives, " Liberties, and Properties?

" *Barr.* Their Office in general is to do *equal Ju-* " *ſtice and Right*; particularly,

" 1. To ſee that the *Jury be regularly return'd and* " *duly ſworn.*

" 2. To ſee that the *Priſoner* (in Caſes where it is " permittable) be allow'd his *lawful Challenges.*

" 3. To adviſe by *Law*, whether ſuch Matter " may be given in Evidence or not; ſuch a Writing " read or not; or ſuch a Man admitted to be a Wit- " neſs, *&c.*

" 4. Becauſe by their Learning and Experience " They are preſumed to be beſt qualified to ask per- " tinent Queſtions, and in the moſt perſpicuous Man- " ner ſooneſt to ſift out Truth from amongſt tedious " impertinent Circumſtances and Tautologies; They " therefore commonly *examine the Witneſſes in the* " *Court*, yet not *excluding the Jury*, who of Right " may, and, where they ſee Cauſe, ought to ask Them " any neceſſary Queſtions; which undoubtedly They " may lawfully do with Modeſty and Diſcretion, with- " out *begging any Leave*; for if *asking Leave* be neceſ- " ſary, it implies in the *Court* a Right when They " liſt to *deny* it; and how then ſhall the *Jury* know " the Truth; and ſince we ſee that *Council*, who too " often (*pudet hæc opprobria nobis*) for their *Fees* " ſtrive only to baffle Witneſſes, and ſtifle Truth, " take upon Them daily to *interrogate* the Evidence, " it is abſurd to think that the *Jurors* ſhould not " have the *ſame Privilege*, who are upon their *Oaths*, " and *proper Judges* of the Matter.

" 5. As a diſcreet and lawful Aſſiſtant to the *Jury*, " † They do often recapitulate and ſum up the Heads " of the Evidence; but the *Jurors* are ſtill to conſider " whether it be done *truly*, *faithfully*, and *impartially*; for *one Man's* Memory may ſooner fail than " *Twelve's*. He may likewiſe ſtate the *Law* to Them; " That is, deliver his *Opinion* where the Caſe is difficult, or They deſire it. But ſince *ex facto jus oritur*, all *Matter of Law* ariſes out of *Matter of Fact*; " ſo that till the *Fact* is ſettled, there is no Room for " *Law*; therefore all ſuch Diſcourſes of a *Judge* to a " *Jury* are, or ought to be, *hypothetical*, not *coercive*; " *conditional*, and not *poſitive*, viz. *If you find the* " *Fact thus or thus*, (ſtill leaving the *Jury* at Liberty " to find as They ſee Cauſe) *then you are to find for* " *the Plaintiff*. *But if you find the Fact thus or thus*, " *then you are to find for the Defendant*, *or the like*, " *Guilty*, *or not Guilty*, *in Caſes criminal*.

" Laſtly, They are to *take the Verdict of the Jury*, " and thereupon to give *Judgment* according to Law; " for the Office of a *Judge* (as *Coke* well obſerves) " is *jus dicere*, not *jus dare*; not to *make any Laws* " by Strains of Wit, or forced Interpretations; but " plainly and impartially to *declare the Law* already " eſtabliſhed. Nor can They refuſe to accept the " *Jury's Verdict*, when agreed; for if They ſhould, " and force the *Jury* to return, and any of Them " would miſcarry for Want of Accommodation, it " would undoubtedly be *Murder*; and in ſuch Caſe, " the *Jury* may without Crime force their Liberty, " becauſe They are illegally confined, having given " in their *Verdict*, and thereby honeſtly diſcharged " their Office, and are not to be ſtarved for any Man's " Pleaſure.

" *Jurym.* But I have been told, that a *Jury* is only " Judge of naked *Matter of Fact*, and not at all to

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† *Vaughan's* Reports in *Buſhel's* Caſe, *fol.* 144.

“ take upon Them to meddle with, or regard *Matter of Law*, but leave it wholly to the *Court*.

“ *Barr.* 'Tis moſt true, *Jurors* are Judges of *Matters of Fact*; That is, their proper Province, their chief Buſineſs; but yet not excluding the Conſideration of *Matter of Law*, as it ariſes out of, or is complicated with, and influences the *Fact*; for to ſay They are not at all to meddle with, or have Reſpect to *Law* in giving their *Verdicts*, is not only a falſe Poſition, and contradicted by every Day's Experience; but alſo a very dangerous and pernicious one, tending to defeat the principal End of the Inſtitution of *Juries*, and ſo ſubtily to *undermine* That, which was too ſtrong to be *batter'd down*.

“ 1. It is *falſe*; for though the Direction, as to *Matter of Law* ſeparately, may belong to the *Judge*, and the finding the *Matter of Fact* does peculiarly belong to the *Jury*; yet muſt your *Jury* alſo apply *Matter of Fact and Law together*; and from their Conſideration of, and a right Judgment upon *both*, bring forth their *Verdict*; for do we not ſee in moſt general Iſſues, as upon *not Guilty*, pleaded in Treſpaſs, Breach of the Peace, or Felony, though it be *Matter in Law* whether the Party be a Treſpaſſer, a Breaker of the Peace, or a Felon; yet the *Jury* do not find the *Fact* of the Caſe by itſelf, leaving the *Law* to the *Court*; but find the Party *guilty*, or *not guilty* generally? So as though They anſwer not to the Queſtion ſingly, *what is Law*, yet They determine the *Law* in all Matters, where Iſſue is join'd. So likewiſe is it not every Day's Practice, that when Perſons are indicted for *Murder*, the *Jury* does not only find Them *guilty*, or *not guilty*, but many Times, upon hearing and weighing of Circumſtances, brings Them in either *guilty* of *Murder*, *Manſlaughter*, *per Infortunitas*, or *ſe defendendo*, as They ſee Cauſe. Now do They not herein "complicately reſolve both *Law* and *Fact?* And to "what End is it, that when any Perſon is proſecuted upon any *Statute*, the *Statute* itſelf is uſually "read to the *Jurors*, but only that They may *judge* "whether or no the Matter be *within that Statute?* "But to put the Buſineſs out of doubt, we have the "Suffrage of that Oracle of Law, LITTLETON, who "in his *Tenures*, Sect. 368. declares, *that if a* JURY "*will take upon Them the Knowledge of the* LAW "*upon the Matter, They may*; which is agreed to likewiſe by *Coke*, in his Comment thereupon. And "therefore it is *falſe* to ſay, that the *Jury* hath not "Power, or doth not uſe frequently to apply the *Fact* "to the *Law*, and thence taking their Meaſures, "judge of and determine the *Crime*, or *Iſſue*, by "their *Verdict*.

"2. As *Juries* have ever been veſted with ſuch "Power by Law, ſo to exclude Them from, or diſſeize Them of the ſame, were utterly to *defeat the* "*End of their Inſtitution*; for then if a Perſon ſhould "be indicted for doing any *common innocent Act*, if it "be but cloathed and diſguiſed in the *Indictment* with "the Name of *Treaſon*, or ſome *other high Crime*, "and proved by Witneſſes to have been *done* by Him; "the *Jury*, though ſatisfied in Conſcience that the "*Fact* is not any *ſuch Offence*, as it is called, yet becauſe (according to this fond Opinion) They have "no Power to judge of *Law*, and the *Fact* charged "is fully proved, They ſhould at this Rate be bound "to find him *guilty*; and being ſo found, the *Judge* "may pronounce Sentence againſt him; for he finds "him a *convicted Traytor &c.* by his *Peers*. And "thus as a certain Phyſician boaſted, that he had "*kill'd one of his Patients with the beſt Method in* "*the World*; ſo here ſhould we have an *innocent* "*Man* hang'd, drawn and quarter'd, and all *according* "*to Law*.

" *Jurym.* God forbid that any ſuch Thing ſhould " be practiſed!—And indeed I do not very well un- " derſtand you.

" *Barr.* I do not ſay it ever *hath been*, and I hope " it never *will be practiſed*; but This I will ſay, " that, according to this Doctrine, it *may be*; and " conſequently *Juries* may thereby be render'd ra- " ther a *Snare*, or *Engine of Opreſſion*, than any *Ad-* " *vantage*, or *Guardian of our legal Liberties againſt* " *arbitrary Injuſtice*; and made *meer Properties*, to do " the *Drudgery*, and bear the Blame of *unreaſonable* " *Proſecutions*; and ſince you ſeem ſo dull as not to " perceive it, let us put an imaginary Caſe, not in " the leaſt to abet any Irreverence towards his Ma- " jeſty, but only to explain the Thing, and ſhew " the Abſurdneſs of this Opinion.—— Suppoſe then " a Man ſhould be indicted, *for-that he as a falſe* " *Traytor, not having the Fear of God before his Eyes,* " *&c. did traiterouſly, preſumptuouſly, againſt his Al-* " *legiance, and with an Intent to affront his Maje-* " *ſty's Perſon and Government, paſs by ſuch or ſuch a* " *Royal Statue, or Effigies, with his Hat on his Head,* " *to the great Contempt of his Majeſty and his Au-* " *thority, the evil Example of others, againſt the* " *Peace, and his Majeſty's Crown and Dignity.* Being " hereupon arraigned, and having pleaded *not guilty*, " ſuppoſe that ſufficient Evidence ſhould ſwear the " *Matter of Fact* laid in the Indictment, viz. *that he* " *did paſs by the Statue, or Picture, with his Hat on*; " now imagine yourſelf one of the Jury, that were " ſworn to try him, what would you do in the " Matter?

" *Jurym.* Do? Why I ſhould be ſatisfy'd in my " Conſcience, that the Man had not herein committed " *any Crime*, and ſo I would bring him in *not guilty*.

" *Barr.* You ſpeak as any honeſt Man would do; " but I hope you have not forgot the *Point* we were " upon. Suppoſe therefore, when you thought to do

“ thus, the *Court*, or *one of your Brethren*, ſhould take
“ you up and tell you, that *it was out of your Power*
“ *ſo to do; for look ye* (ſaith he) *my Maſters, We*
“ Jurymen *are only to find* Matter of Fact, *which being*
“ *fully proved, as in this Caſe before us it is, we*
“ *muſt find the Party* guilty. *Whether the Thing be*
“ Treaſon *or not, does not belong to us to inquire. It*
“ *is ſaid ſo here, you ſee, in the Indictment; and let*
“ *the Court look to That; They know beſt; we are*
“ *not Judges of* Law; *ſhall we meddle with Niceties*
“ *and Punctilio's, and go contrary to the Directions of*
“ *the* Court? *So perhaps we ſhall bring ourſelves into*
“ *a* Præmunire, *(as they ſay) and perhaps never be*
“ *ſuffer'd to be* Jurymen *again. No, no, the* Matter of
“ Fact, *you ſee, is proved, and That is our Buſineſs.*
“ *We muſt go according to our Evidence; we cannot do*
“ *leſs. Truly it is ſomething hard, and I pity the poor*
“ *Man; but we cannot help it.* After theſe notable
“ Documents, what would you do now?

“ *Jurym.* I ſhould not tell what to ſay to it; for I
“ have heard ſeveral *antient Jurymen* ſpeak to the
“ very ſame Effect, and thought they talk'd very
“ wiſely.

“ *Barr.* Well then, would you conſent to bring in
“ the Man *guilty?*

“ *Jurym.* Truly I ſhould be ſomewhat unwilling
“ to do it; but I don't ſee which Way it can be avoided,
“ but that he muſt be found *guilty of the Fact.*

“ *Barr.* God keep every honeſt Body from *ſuch Jurymen!*
“ Have you no more Regard to your *Oath;*
“ to your *Conſcience;* to *Juſtice;* to the *Life* of a
“ Man?

“ *Jurym.* Hold! hold! perhaps, we would not
“ bring him in *guilty* generally, but only *guilty of the*
“ *Fact*, finding no more but *guilty of paſſing by the*
“ *Statue with his Hat on.*

“ *Barr.* This but poorly mends the Matter, and
“ ſignifies little or nothing; for ſuch a Finding hath
“ generally

" generally been refuſed by the *Court*, as being *no* " *Verdict*; though it is ſaid it was lately allow'd ſome- " where in *a Caſe that required Favour*. But ſup- " poſe it were accepted, what do you intend ſhould " become of the *Priſoner?* Muſt not he be kept in " Priſon till all the *Judges* are at Leiſure and willing " to meet and argue the Buſineſs? Ought you not, " and what Reaſon can you give why you ſhould not " abſolutely acquit and diſcharge him? Nay, I do " aver, you are bound by your Oaths to do it, by " ſaying with your *Mouths* to the *Court*, what your " *Conſciences* cannot but dictate to yourſelves, *not* " *guilty*; for pray conſider, are you not ſworn, *that* " *you will well and truly try, and true Deliverance* " *make!* There is none of this Story of *Matter of* " *Fact* diſtinguiſh'd from *Law* in your Oath. But " you are *well*, That is, *fully* and *truely*, That is, " *impartially* to try the Priſoner; ſo that if, upon " your Conſciences, and the beſt of your Underſtan- " ding by what is proved againſt him, you find he is " guilty of *that Crime*, wherewith he ſtands charged, " That is, deſerving *Death*, or ſuch *other Puniſhment* " as the Law inflicts upon an Offence ſo denominated; " then you are to ſay, he is *guilty*; but if you are not " ſatisfy'd, that either the *Act* he has committed was " *Treaſon*, or *other Crime*, (though it be never ſo often " *call'd ſo*) or that the *Act* itſelf, if it were ſo *crimi-* " *nal*, was not done; then what remains but that you " are to *acquit* him? For the End of *Juries* is to pre- " ſerve Men from *Oppreſſion*, which may happen as " well by impoſing or ruining Them for That as a " *Crime*, which indeed is *none*, or at leaſt not *ſuch*, or " ſo *great* as is pretended, as by charging Them with " the Commiſſion of That, which in Truth was *not* " *committed*; and how do you *well and truly try, and* " *true Deliverance make*, when indeed you do but " deliver him up to *others*, to be *condemn'd* for That, " which yourſelves do not believe to be any *Crime?*

The *Author* proceeds, in the ſame honeſt and maſterly Manner, to illuſtrate *this important Subject*, in full Confutation of *ſome Tenets*, which have been lately advanced. I am therefore very well pleaſed with ſeeing it thus ſeaſonably reprinted, and think myſelf obliged to recommend it to the Peruſal of every *Engliſhman*, who hath any Regard to the Rights and Liberties of his Country. *D.*

N° 290. SATURDAY, *Jan.* 22, 1731-2.

WE have lately been obliged with a ſecond Part of *Defamation diſplay'd*, intitled, *the Caſe of Oppoſition ſtated between the* CRAFTSMAN *and the* PEOPLE; which hath been thruſt into all the Corners of the Kingdom by the ſame Authority, and at the ſame Expence, which have been employ'd to obtrude *ſuch Pieces* upon the Publick, for ſeveral Years paſt.

I happen'd to fall into a Company of Criticks, ſome Days ago, who were puzzling their Brains to find out common Senſe, or even common Grammar, in the very *Title-page* of this right honourable Excrement of Scandal. They were at a Loſs to gueſs what the Author could poſſibly mean by *Oppoſition between the* CRAFTSMAN *and the* PEOPLE. *One* of them immediately turn'd to the *Errata*, in Expectation of finding the Word *Craftſman dele'd*, with a Direction to read *Miniſter* in the Room of it. *Another* was of Opinion that, inſtead of *the People*, it ought to have been printed *the People in Places*. A *Third* imputed it to a common Artifice amongſt *bad Writers*, who frequently work up the firſt Page of a Book into a *Paradox*, in order to excite the Curioſity of the Publick. He then appeal'd to us whether the *Gentleman-Scribbler*, who pen'd this ingenious Tract, had not diſcover'd ſome unuſual Judgment in giving it *ſuch a Title*, rather than calling it plainly by its right Name; *the anniverſary Pacquet of Scandal*; or Mr. *Walſingham*'s *Chriſtmas-Box*.

I was ſomewhat ſurprized to hear the courtly Mr. *Walſingham* mention'd upon this Occaſion, and undertook to defend Him againſt the Imputation of having any Concern with ſuch a *Bundle of Ribaldry*. My Reaſon was, that a Writer of his Spirit would have certainly prefix'd his *own Name* to it, or at leaſt the Name of his Colleague and Man-midwife in ordinary, the worthy Mr. *John Peele*. He hath no Occaſion to diſguiſe his excellent Writings under *different Shapes*, or by flying to *different Methods of Publication*. Beſides, *ſaid I*, the Hand of Mr. *Walſingham* is eaſily diſtinguiſh'd by ſeveral peculiar Marks, or Stigma's of writing, which are inimitable and ſecure from any Counterfeit; particularly that beautiful Redundancy of Style, ſwell'd up with Pleonaſms, Tautologies and Repetitions, which adorns all his Works, and exceeds even the *torrens dicendi Copia* of *Tully* Himſelf. He may likewiſe be known by the Correctneſs of his Language, the Depth of his Learning, the Generoſity of his Sentiments, and the Strength of his Reaſoning; as well as by his ſtrict Regard to Truth, Decency and good Manners. But above all, *this polite Gentleman* is remarkable for his rigid Adherence to the Point in Debate, and the conſtant Pains He takes to avoid all perſonal Altercations, or Deviations from the Argument, which can ſerve only to divert the Attention of the Reader. He would ſcorn to call Himſelf an *honeſt Man*, like this *Stater of Caſes*, or to make any *Pretenſions to Praiſe*, as an *Engliſhman*, whilſt He was viſibly earning the Wages of Servitude, and endeavouring to ſcribble away the Liberties of his Country. He hath too much Honour and good Senſe, to impute *my Writings* to any Gentleman, without the leaſt viſible Foundation of Proof, or Reaſon; and to expect any Credit, at the ſame Time, when He aſſerts that all the Papers, publiſh'd in *his Name*, are written by *Himſelf only*, without the Aſſiſtance, Direction, or even the Privity of his *Patron*; though He is pleaſed indeed to reward Him for them, and to cram them down the Throats of the People, under his Influence. His generous Heart would not ſuffer Him to inſiſt upon any Topicks, which He knows his *Adverſaries* are not at Liberty to examine; or to employ any Weapons of *Offence* in the Cauſe of his *Patron*, which cannot be made Uſe of in Return for *Defence*; eſpecially at a Time, when *one Conviction* hangs over our Heads, and *another Proſecution* is already commenced againſt us. He is a Man of more Candour and Humanity, as He hath often aſſured us Himſelf, than to take any Advantages of us, in ſuch a Situation, or make any Attempts to draw us into farther Difficulties.

It is impoſſible therefore that *this Piece* ſhould come from a *Gentleman* of ſuch worthy Principles and generous Diſpoſitions; whoſe great Acquirements in polite Literature have been improved by the Knowledge of Mankind, and whoſe Manners have been poliſh'd in the Courts of Princes; a *Gentleman*, who hath had the Honour of being admitted into the Counſels of *Senates*, the Secrets of the *Cabinet*, and the Intimacies of a *firſt Miniſter*. — No; This muſt be the Production of ſome very *low Wretch*, of vulgar Education and ſordid Principles, who hath put his little Genius upon the Rack, in Hopes of recommending Himſelf to the ſame Favour and Encouragement, which have been lately extended to Multitudes of others. The Man, We ſee, hath not been diſappointed in his Expectations. The Offals of his Brain have found a good Market, and He hath the Pleaſure of ſeeing them diſtributed thro' all the Cities, Boroughs, Towns corporate, and little Villages ſages of *England*. I think myſelf therefore obliged to take ſome Notice of a *Piece*, which hath been diſtinguiſh'd in this Manner; for it may be thought an high Contempt of that *Authority*, which gave it Life and hath forced it into the World, if I ſhould let it paſs altogether in Silence.

We are told that this *State of the Caſe* was occaſion'd and made neceſſary by our Paper of the 4th of *Dec.* laſt, being a ſhort Recapitulation of the principal Subjects, which We had treated from our firſt Appearance in the *Craftſman* to that Time. The Deſign of *that Paper* was to ſubmit the Merits of our Writings to the Judgment of the World. It was written without any Rancour, or Bitterneſs, and conſiſted chiefly of plain Matters of Fact. It was indeed an *Appeal to the Publick*, as *this Writer* calls it Himſelf; and I am ready to agree with him *that the Queſtion, in this Caſe, will be whether thoſe Men, who make theſe Appeals, deſerve well of the People, to whom They appeal; whether They have done their Country Service, or Damage; and whether They had the Intention of doing Good to the Publick.* —— Theſe are the Points, which He undertakes to examine, by reviewing the Proceedings of the *laſt five Years*; but how hath He examined them? Hath He enter'd into the Merits even of one of *theſe Points*, upon which the *Appeal* was made, and by which it ought to be try'd? No; the whole Pamphlet is nothing but a long, looſe, general Declamation, fill'd up with *perſonal Scurrility* and Arguments drawn from *Poſtulata*, which have been always deny'd on *one Side*, and can never be proved on the *other*. One half of it conſiſts of a tedious, long-winded Paraphraſe on the ſtale Topick of *Ambition, Diſappointment* and *Revenge*. Inſtead of proving that the *Oppoſition* was commenced and carried on againſt *good Meaſures*, which is certainly the Point, He contents Himſelf with repeated Aſſertions that it proceeded from *bad Motives*, and from thence infers that they muſt be *good Meaſures*; which is no logical Concluſion, even if the Premiſes had been proved. This hath been often obſerved on *our Side* and will admit of no Anſwer. Such a Method of Reaſoning therefore, or rather of Prevarication, is not only begging the Queſtion, but building falſe Arguments upon it, ſuppoſing it to be granted. The Matter in Queſtion is, whether the *Meaſures*, which have been oppoſed, were *bad Meaſures*; and if That can be proved, it is of but little Importance to the Publick from what *Motives* the Oppoſition aroſe; which can never be fully aſcertain'd, till We have found out ſome Method of looking into the Hearts of Men; though I think the Probability at leaſt on *our Side*, and that the Oppoſition of *bad Meaſures* may be generally ſuppoſed to proceed from *good Motives*. This is a *true State of the Caſe* in a few Words, without any Partiality or Diſguiſe; and I once more appeal to the Publick for their Opinion upon it.

The next ſtale Topick, which He hath trump'd up again, is the Miſchief *theſe Writings* have done to our *foreign Affairs*, by encouraging our Enemies to inhance, or perſiſt in their Demands. All the bad Conſequences of the *Hanover*, *Seville* and *Vienna Treaties* are imputed to Thoſe, who did not approve them, and had no Hand in negotiating them. To Them are owing all our Misfortunes and ill Uſage both at home and abroad; ſuch as the *Depredations* of our Merchants, the Reparation of *Dunkirk*, and the new Works before *Gibraltar*; as well as the miſerable Decay of *Trade*, the Burthen of our *Taxes*, and the Increaſe, or Continuance of our *Debts*.

This Argument likewiſe hath been ſufficiently anſwer'd already, in ſeveral of our Papers; and I am always ſorry to trouble the Reader with Repetitions; but when the *ſame Objections* are reiterated upon us, at particular Periods, and to ſerve particular Turns, We are obliged to obviate them with the *ſame Anſwers*. I will however be as ſhort in my Reply to *this Point*, as I was to the *former*.

In the firſt Place, I am fully perſuaded, in my own Conſcience, that *theſe Writings* have been of infinitely more Service than Detriment to the Nation, even with Regard to our *foreign Affairs*; and I think it hath not been urged that they have prejudiced our *Affairs at home* any farther than as *one* may be influenced by the *other*.

But ſuppoſing that they have been attended with *ſome Inconveniences*, as I have often allow'd; are We to ſuffer, what We imagine, *wrong Meaſures* to be purſued without any Cenſure, or Controul, leſt our Enemies ſhould take ſome Advantage of our Diſputes about them; or, if That is the Caſe, what will become of our boaſted Privileges, as *Engliſhmen*, the *Liberty of the Preſs*, and even the *Liberty of Parliament* itſelf? Let the *Writers againſt us* anſwer directly to *this Point*, and ſhew us, if They can, that the *Freedom of Debate in Parliament* does not tend to obſtruct our *foreign Affairs*, and give our *Enemies* an Advantage, as much as the *Liberty of diſcuſſing them in Print*. Here lies the Streſs of the Argument, which it is incumbent upon Them to clear up, if They would be thought to write any Thing to the Purpoſe.

To give this Argument a little Colour, He quotes a Paſſage of Lord *Lexington*'s Letter from *Madrid* in the latter Part of the late Queen's Time, where He gives an Account of his Converſation with King *Philip*, about the *Catalans*. *We know*, ſays that Prince, *that the Peace is as neceſſary to you, as it is to us; and that you will not break off the Negotiation for a Trifle.*— For God's Sake, how could the Fellow be ſuch an arrant Blockhead as to quote this Authority? It is confeſs'd that *Oppoſition* may diſtreſs a *Miniſter*, who purſues *Meaſures, contrary to the Intereſt of his Country*, as We both allow the *Meaſures of thoſe Times* to be;

but what hath This to do with our *preſent happy Times*, and the Meaſures of our *preſent, excellent Miniſters?*

What this *worthy Caſuiſt* hath ſtated as our *political Creed, concerning the Liberty of the Preſs*, is of a Piece with the reſt of his Book; a wretched Prevarication, and even a downright Falſhood. Did we ever claim *an unbounded Licence to abuſe all Perſons, and all Things, with Impunity*; or have We not frequently declared againſt it? This is the peculiar Privilege of the Writers on the *other Side*; and I am ſure nobody can ſay that They have been ſparing in the Exerciſe of it.

The *Check*, which We have lately received from the *Law*, ſeems to give Him a great Deal of Pleaſure, and We are much obliged to Him for his kind Endeavours to inflame the Reſentments of Power, and ſtir up *other Proſecutions* againſt us.

And here it is proper to take Notice of a Paper, which I have juſt read, in the *Daily Courant* of *Saturday, Jan.* 8, in which the HAGUE LETTER is reprinted, with an invidious and ſcandalous Comment upon it; for though the *Jury* found it a *Libel*, yet I apprehend that the Matter of it was not attempted to be proved *falſe* on *one Side*, and that the Council on the *other* were not allow'd to *verify* it, but that the *Verdict* was founded on a Principle of *Law*, or the Practice of it, that a Book, or Paper, may be a *Libel*, tho' the Subſtance is *true*. I don't know what Privilege the Writer of the *Courant* might have to publiſh *this Letter*, after it had been declared a *Libel*, in a judicial Manner; but I can make a ſhrewd Gueſs what would have been my Fate, if I had taken the ſame Liberty. This is our hard Lot, and We muſt ſubmit to it, without any Reply, under all ſuch ungenerous Inſults and Aggravations.

In the remaining Part of *this Pamphlet*, the Author deſcants very fluently, for above twenty Pages together, againſt the Meaſures of Queen *Anne*, at the latter End of her Reign, and ſeems to careſs Himſelf upon having demonſtrated the Uprightneſs of his *Patron*'s Conduct and the Iniquity of his *Oppoſers*, by pointing out ſome particular Blemiſhes in *that Adminiſtration*; for it is a conſtant Maxim with all *theſe Writers* to make us anſwerable for the Meaſures of *thoſe Times*, though We have declared our general Diſapprobation of them, upon many Occaſions. But when *Argument* is againſt Them, and *Blackening* becomes neceſſary, They muſt not ſtick at any Thing to earn their Money.

He hath, indeed, pick'd up a Paſſage, in one of our Papers, concerning the Conduct of *thoſe Miniſters* towards *Writers*, which He ſeems to think hath pinn'd us down; and I muſt be ſo ingenuous as to acknowledge that it is liable to ſome juſt Exceptions; the Proceedings againſt Sir *Richard Steele* and the Biſhop of St. *Aſaph* being mention'd as the only Inſtances of Severity, which the *Gentlemen then in Power* exerted againſt *Writers*; but as I wrote that Paper *Myſelf*, I am able to aſſure the Publick that the Miſtake did not proceed from any Deſign of impoſing on the Reader, which would have been exceedingly weak, ſo ſoon after thoſe Tranſactions. The Truth is, that the Caſes of *Hurt* and *Ridpath* (which are the only material ones mention'd by *this Writer*) had ſlipt out of my Memory, as I wrote the Paper without conſulting any Books, and I have not yet acquainted Myſelf with the Nature of their Offence. I am however ſenſible of my Miſtake, and if *this Writer* can point out any more, as no Doubt there are many in the whole Collection, I ſhall be ready to acknowledge them, in the ſame Manner, and promiſe to correct them, if I ſhould live to ſee another Impreſſion of the *Craftsman*.

But I am afraid *this Gentleman's* Memory hath fail'd Him as well as mine, when He extolls the Lenity of *another Miniſter* towards *Writers*, and his tender Regard for the *Liberty of the Preſs*. I believe I could be able to mention a *firſt Day of Term*, ſince the

Year 1711, when at leaſt *fourteen Bookſellers, Printers and Publiſhers* made their Appearance in the Court of *King's Bench*; and He muſt certainly remember ONE INSTANCE of Severity, in which I apprehend ſome ſmall Deviations were made from the *ordinary Courſe of Juſtice*, and the *known Laws of our Country*. I have been inform'd that even his *Patron* Himſelf acknowledged it to be a little *Stretch of Power*, and made ſome Apologies for it. Nay, I make it a Doubt whether He can find any Parallel of *this Caſe*, in the latter Part of Queen *Anne*'s Reign; or, perhaps, even under any Adminiſtration ſince That of King *Charles* II. when the Lord Chief Juſtice *Scroggs* made a Rule of Court, to prohibit the future Publication of a certain *weekly Paper*; which *Rule* was voted *illegal* and *arbitrary* in Parliament, and the *Lord Chief Juſtice* was order'd to be impeach'd for it.

Having taken this curſory Survey of our Author's *State of the Caſe*, I muſt beg the Reader's Patience, whilſt I point out ſome extraordinary Remarks, which are ſcatter'd through the whole.

He begins with telling us, that immediately before the *Oppoſition* began, the People in general were perfectly ſatisfy'd with the *happy Situation of our Affairs, both at home and abroad*; that *neither* foreign Broils *threaten'd Them, nor* domeſtick Feuds *diſtracted Them*. He then aks, *what was done, on the Part of the Government, to alter ſuch a Situation of Affairs? Was any* Liberty *invaded, any* Property *injured, or any Man, or Body of Men, moleſted? Was any* Grievance, *or* Innovation *introduced, or countenanced by the* Miniſters? *Was not all poſſible Care taken by Them, to keep all Men eaſy under Them? Conſtant Attention was given to the Diſcharge of our* Debts. *The* yearly Supplies, *ask'd of the People, were moderate, and the* Manner *of raiſing them* SCARCELY FELT——A very fine Panegyrick truly, and not unworthy even of the *golden Age!*—But I wiſh He would have been pleaſed to let us know how this *happy Situation* was firſt alter'd, under the Conduct of ſuch *able Miniſters*, who were inveſted with all the Power of this flouriſhing Kingdom, and had the *Concurrence of the People, even the Maſs of the Multitude*, as He informs us, on their Side. The *Diſcharge of our Debts* is likewiſe a Point, which deſerves ſome farther Explanation. But the roundeſt Aſſertion of all is, that the *yearly Supplies and Manner of raiſing them was ſcarcely felt.* For my Part, I cannot recollect any Period of Time, in my Memory, which deſerves this Encomium; unleſs We are to ſuppoſe that Mankind have loſt all Senſe of *Feeling*.

I obſerve, in the next Place, that it is a Blunder, very common amongſt *theſe Writers*, to draw the real Character of their *own Patron*, whilſt They ſeem to imagine that his *Oppoſers* are ſitting to Them. Thus every Page of *this Pamphlet* is fill'd with unſeaſonable Invectives againſt *Avarice*, *Ambition*, *Corruption* and *Luſt of Power*. Nay, in one Place, the Author comes directly to the Point, when He ſpeaks of the *Malice and Selfiſhneſs of* ſome Perſons, *and their cruel Revenge againſt all, who ſet Bounds to their Schemes of acquiring* more Power *than is ſafe, and engroſſing* more Wealth *than is honeſt.*——In the Name of Wonder, who can *thoſe Perſons* be?

He makes another Obſervation, which is ſo very extraordinary, that I will cite it at large, both for the Contemplation of the Publick, and to prevent any Charge of Miſrepreſentation.

If the Profit of ſerving the Publick in PLACES, ſays He, *be computed at any Sum, and This be raiſed equally upon the People,* that Party, *which is admitted into* Truſt, *will have more than a* Retribution; *whilſt the* other Party *is like a* Scale, *continually loſing* Weight, *without any new Acceſſion to maintain the* Ballance; *ſo that, in a certain Proceſs of Time, the* loſing Party *muſt quite dwindle to nothing, and the* prevailing Party, *by continuing in* Employments of Profit, *muſt become able*

able to purchaſe ALL THE LANDS IN THE KINGDOM.

I perfectly agree with our *political Caſuiſt* in the Force of this Argument, and am only ſurprized what could poſſeſs Him, of all People in the World, to make Uſe of it. It is certainly true, as He obſerves, that the *Court-Party*, by the Multiplication of *Offices*, is grown an over-Ballance for the *Country-Party*, and that the *People in Place* may be able, in a certain Proceſs of Time, to buy *all the People, who are out of Place.* ——Thus may it really come to paſs that the *yearly Supplies, and the Manner of raiſing them, will be ſcarcely* FELT by any Body, except Thoſe, who collect them, and have the Money in their Pockets.

I ſhall take Notice of but one Thing more in *this Piece*; for I am quite ſick of expoſing ſuch impudent Follies and glaring Abſurdities.

The whole Body of the WHIGS, ſays this judicious Writer, *had the higheſt Reaſon to be ſatisfy'd with the Courſe of Things*; (which tended, as He ſaid before, to put Them in Poſſeſſion of *all the Lands in the Kingdom*;) *but it was impoſſible to continue that Satisfaction among them long, when once They begun to differ about the ſeveral Shares of* Power *and* Favour. *It was not difficult*, adds He, *to make Them agree that* all Employments of Truſt and Profit *ſhould be divided among* Themſelves; *but how to make the* reſpective Allotments, *and how to ſatisfy* Particulars *that what ſhould fall to their ſeveral Shares was as much as properly belonged to Them, or that They ought to ſollicit no more*; *This was the difficult Task indeed, and This, in the Nature of Things, muſt produce Diviſion*; *ſo that it was not poſſible, by any means in the World, to prevent* Faction *and* Oppoſition—Now, *whoſe Picture* is this Man drawing again? Who was the *firſt State-Schiſmatick*, the *firſt Whig-Renegado*, who, not content with his *particular Share of Power*, large as it was, run furiouſly riot againſt Thoſe, who defeated his ambitious Deſigns, and ſet up an *Oppoſition,* which not only divided the *Body of the Whigs,* but even affected the Head of Them?—If any Perſon can be at a Loſs to gueſs who this Man was, let Him read *the* Defection conſider'd.

It cannot be expected that I ſhould give any Anſwer to thoſe *vile Inſinuations,* of a private Nature, which are repeated in three or four Places of *this Pamphlet.* As it is impoſſible for Me to have any Knowledge of thoſe Affairs, ſo I have no Authority to ſay any Thing upon them; and the *Gentleman concern'd* is abſolutely precluded from juſtifying Himſelf, by the very Nature of the Charge; but if the ſtrongeſt Marks of Improbability, and even Abſurdity, ought to be allow'd a negative Proof, (as *theſe Writers* inſiſted, in another Caſe, without the ſame Reaſon) it ſtands in need of no farther Confutation; and the Publick will eaſily excuſe any *Gentleman* from entering into a formal Defence of Himſelf againſt an *obſcure Wretch,* who ſeems privileged to treat even *Majeſty* itſelf with the moſt unpardonable Inſolence, by propagating Inſinuations, abſolutely inconſiſtent with the Honour and Dignity of the *Crown.*

But I think myſelf at Liberty to take Notice of *another ſcandalous Suggeſtion,* relating to Mr. *Francklin*'s Trial, which even the virtuous Mr. *Walſingham* hath thought fit to broach in his *Free-Briton* of *Jan.* the 5th. He tells us that *it hath been credibly affirm'd that the honourable Perſon* (whom He calls *my Patron*) *was pleaſed to take out* one of the Gentlemen of the Pannel, *before He was ſworn, and had much Converſation with Him in the* Exchequer Coffee Houſe.

Now, it is not only *credibly affirm'd,* but I am fully aſſured that this Story is an *abſolute Falſhood;* as many Gentlemen, of undoubted Honour and Integrity, are able to teſtify; and if it is true, let the *Juryman* appear, as We defy Him to do, and acquaint the Publick with the Subſtance of the *Converſation,* which paſſed between Him and the *other Gentleman*, who is charged with *taking Him out in this Manner*.

I am very ſorry to detract, in any Manner, from that excellent Character, which I have given Mr. *Walſingham* in the former Part of this Paper; but if his Intelligence from the *Exchequer Coffee-Houſe* ſhould not be fully proved, I ſhall be obliged to give him up, in this Inſtance, as an Inventor and Publiſher of infamous Falſhoods.

It would be endleſs to purſue *theſe Writers* through all their Dirt and Scandal. We muſt therefore leave the World to judge, from an Inſtance or two, what Credit ought to be given to a Parcel of *Wretches*, who have proſtituted Themſelves to the ſervile Drudgery of propagating ſuch *Lies* and *Forgeries* through the Kingdom. *D.*

The End of VOL. VIII.

ERRATUM.

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THE

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